

REPORTS

OF THE

SECRETARY OF THE NAVY, AND OTHER PAPERS,

RELATIVE TO

The proceedings had under the act of January 28, 1857, authorizing the establishment of a naval depot at Blythe Island, Georgia.

JUNE 22, 1860.—Ordered to be printed.

IN THE SENATE OF THE UNITED STATES,

June 1, 1860.

On motion by Mr. Hale,

Resolved, That the Committee on Naval Affairs be instructed to inquire what proceedings have been had under the act of January 28, 1857, "authorizing the establishing of a navy depot on Blythe Island, at Brunswick, on the coast of Georgia, and for other purposes;" how much of the appropriation was expended for purchasing a site, and to whom paid; how many were the owners of whom the government purchased, who were they, and how long had they been owners, and what did they pay for the land sold to the government; what is the present market value of the land, and what was its value, upon which taxes were paid, before its sale to the United states; and what peculiar fitness it possesses above other contiguous points for a naval depot or navy-yard; and that said committee have power to send for persons and papers.

Attest:

ASBURY DICKINS,

Secretary.

NAVY DEPARTMENT, June 6, 1860.

SIR: I have the honor to acknowledge the receipt of your letter of the 4th instant, transmitting the resolution of the Senate of June 1, in relation to the purchase, &c., of a site for a naval depot at Blythe Island, Georgia, and for a reply beg leave to refer you to the communi-

cations of the department of May 3, 1858, and January 29, 1859, in reply to resolutions of the Senate, for all the information on the subject in the possession of the department. The latter communication was accompanied by copies of all correspondence and other papers on the files of the department, relating to the purchase, &c., with a statement of the expenditures for the site, to whom the money was paid, how much remains unexpended, and from whom the purchase was made.

The department is unable to say what the owners paid for the land sold to the government, what the present market value is, and what was its value, upon which taxes were paid, before its sale to the United States.

Moreover, the department is unable to state what peculiar fitness the site so purchased possesses over other contiguous points for a naval depot or navy-yard beyond what is contained in the papers alluded to, and the debate in Congress when the appropriation was made.

The resolution is herewith returned.

I am, sir, very respectfully, your obedient servant,

ISAAC TOUCEY.

Hon. S. R. MALLORY,

Chairman of Naval Affairs, United States Senate.

NAVY DEPARTMENT, *January 29, 1859.*

SIR: I have the honor to acknowledge the receipt of the resolution of the Senate of the 6th instant, and in compliance with it, to transmit herewith "copies of all correspondence and other papers on file in the department upon the subject of the sale and purchase of the site" for the naval depot near Brunswick, Georgia, and also "a statement showing the several amounts, and for what objects, expended of the fund appropriated by Congress for the purchase of said site, and the construction of said depot."

In answer to that portion of the resolution which requests the Secretary of the Navy to communicate to the Senate "what action has been taken, or is intended to be taken by the department towards the construction" of the depot, I beg leave to refer to the communication of the department, (a copy of which is among the papers transmitted,) dated the 13th of May last, in reply to a similar resolution of inquiry from the Senate. No further measures than those therein communicated, have been taken by the department towards the construction of the depot, and for the reasons therein given. It is the intention of the department to proceed with the work so soon as the state of the treasury will permit.

I have the honor to be, very respectfully, your obedient servant,

ISAAC TOUCEY.

Hon. JOHN C. BRECKINRIDGE,

*Vice-President of the United States,
and President of the Senate.*

NAVY DEPARTMENT, *May 13, 1858.*

SIR: In reply to the resolution of the Senate of the 6th instant, requesting the Secretary of the Navy to inform the Senate "what measures have been taken by the department to execute the act of the 28th January, 1857, 'authorizing the establishment of a naval depot on Blythe Island, at Brunswick, Georgia;' what steps, if any, the department proposes to adopt in the prosecution of said work; and at what time it is intended to commence and go on with the same; and the reasons why the commencement of the necessary works has not been made," I have the honor to state that, in the execution of the act mentioned, the department, under instructions from the President, on the 19th of February, 1857, directed a commission, composed of Captain McIntosh, Commander Hartstene, and Lieutenant Brooke, of the navy, and Civil Engineer Calvin Brown, to proceed to Blythe Island and make the necessary examinations, and report a suitable site for the depot authorized. The report of the commission, accompanied with charts and sketches of the island, was made March 13, 1857. A proposition was then made by the owners for the sale of the whole island, and in June an executory contract for the purchase by the government of about eleven hundred acres was entered into. The legislature of the State of Georgia having, on the 14th of November, 1857, ceded jurisdiction to the United States over the lands, and the title to them declared by the Attorney General of the United States good and sufficient, the purchase was concluded, and the money paid November 24, 1857.

On the 7th of February last the department ordered Mr. Sanger, the civil engineer attached to the Bureau of Yards and Docks, to proceed to Blythe Island and make the necessary surveys and take the levels, with a view of submitting a plan for the naval depot, and estimates adequate to its completion. The levels have been taken and the surveys made, but, business of the department requiring the presence of Mr. Sanger at Pensacola, the plans have not been matured.

In reply to the inquiry, why the commencement of the necessary works has not been made? I would state that there is no money in the treasury which can be applied for that purpose without diverting it from other indispensable objects. They fall within the class of public works authorized by Congress which, not having been commenced, it is not deemed expedient or proper to commence during the present condition of the treasury.

I am, sir, with great respect, your obedient servant,

ISAAC TOUCEY.

Hon. JOHN C. BRECKINRIDGE,
President of the Senate.

List of papers accompanying the report of the Secretary of the Navy in relation to the purchase of Blythe Island by the government, called for by resolution of the Senate.

- No. 1. Hon. Messrs. Iverson, Toombs, and others to the Secretary of the Navy, February 10, 1857.
- No. 2. Secretary of the Navy to Hon. Messrs. Iverson, Toombs, and others, February 14, 1857.
- No. 3. Hon. James L. Seward to the Secretary of the Navy, February 16, 1857.
- No. 4. Secretary of the Navy to Hon. James L. Seward, February 18, 1857.
- No. 5. Hon. James L. Seward to Secretary of the Navy, February 18, 1857.
- No. 6. Secretary of the Navy to Captain James M. McIntosh, United States navy, February 19, 1857.
- No. 7. Secretary of the Navy to Calvin Brown, Esq., February 19, 1857.
- No. 8. Hon. James L. Seward to Secretary of the Navy, February 23, 1857.
- No. 9. Secretary of the Navy to Hon. James L. Seward, February 24, 1857.
- No. 10. Joseph Smith, Chief Bureau Yards and Docks, to Secretary of the Navy, February 23, 1857.
- No. 11. Secretary of the Navy to Captain James M. McIntosh, United States navy, February 26, 1857.
- No. 12. Captain James M. McIntosh, United States navy, to Secretary of the Navy, March 13, 1857.
- No. 13. Captains James M. McIntosh, H. J. Hartstene, and others to Secretary of the Navy, March 13, 1858.
- No. 14. Secretary of the Navy to Captain James M. McIntosh, United States navy, March 18, 1857.
- No. 15. Secretary of the Navy to Commander H. J. Hartstene, United States navy, March 18, 1857.
- No. 16. Secretary of the Navy to Calvin Brown, Esq., civil engineer, March 18, 1857.
- No. 17. Amos Davis, Esq., to Secretary of the Navy, March 23, 1857.
- No. 18. Joseph Smith, Chief Bureau of Yards and Docks, to Secretary of the Navy, April 11, 1857.
- No. 19. Proprietors of Blythe Island, by Amos Davis, to Secretary of the Navy, April 17, 1857.
- No. 20. John L. Hays, agent for proprietors of Blythe Island, to the President of the United States, April 29, 1857.
- No. 21. Secretary of the Navy to Hon. A. Iverson and James L. Seward, May 4, 1857.
- No. 22. Hon. A. Iverson to Secretary of the Navy, May 8, 1857.
- No. 23. Charles L. Seybatta, chief engineer, to the President of the United States, May 23, 1857.

- No. 24. John W. Tyson, county surveyor, to the President of the United States, May 23, 1857.
- No. 25. Messrs. Julian M. Burnett, J. J. C. G. C., J. M. Tyson, J. J. C. G. C., and others, to the President of the United States, May 23, 1857.
- No. 26. Messrs. James T. Blair and G. Friedanly to the President of the United States, accompanied with recommendations from the mayor and council of the city of Brunswick, May 26, 1857.
- No. 27. James Houston, mayor of Brunswick city, to the President of the United States, May 27, 1857.
- No. 28. Alfred Iverson to Secretary of the Navy, May 26, 1857.
- No. 29. Herschel V. Johnson to the President of the United States, June 8, 1857.
- No. 30. James L. Seward to Secretary of the Navy, June 20, 1857.
- No. 31. James L. Seward to Secretary of the Navy, June 20, 1857.
- No. 32. Executory contract between Amos Davis, for himself and other owners of Blythe Island, and the Secretary of the Navy, June 26, 1857.
- No. 33. A. Iverson to the Secretary of the Navy, July 6, 1857.
- No. 34. Secretary of the Navy to Alfred Iverson, July 10, 1857.
- No. 35. Anthony Hyde, agent, to Secretary of the Navy, October 5, 1857.
- No. 36. Secretary of the Navy to Wm. W. Corcoran, Esq., October, 7, 1857.
- No. 37. Secretary of the Navy to Hon. J. S. Black, October 23, 1857.
- No. 38. Opinion of Jos. Garrahl, United States attorney, district of Georgia, upon the title to the deed to Blythe Island.
- No. 39. Abstract of title of the United States of America, to the southern portion of Blythe Island, in Glynn county, State of Georgia.
- No. 40. Power of attorney from Thurston R. Bloom to Wm. W. Corcoran, Esq., for the sale of Blythe Island, November 3, 1857.
- No. 41. Deed of conveyance from Henry C. King, Jean Adams, and others, to Samuel R. Brooks, Amos Davis, and others, of Blythe Island, November 9, 1807.
- No. 42. Deed of conveyance from Amos Davis, Samuel R. Brooks, and others, to the United States, by Wm. W. Corcoran, their attorney, of parts of Blythe Island, October 26, 1857.
- No. 43. Deed from Amos Davis, to Geo. W. Hodges, for a part of Blythe Island, February 23, 1857.
- No. 44. Deed from Amos Davis to Chas. T. Cromwell, for a part of Blythe Island, February 20, 1856.
- No. 45. Deed from Chas. T. Cromwell to Amos Davis, for a part of Blythe Island, October 15, 1857.
- No. 46. Mortgage from the Brunswick Land Company, to the administrators of the estate of John Parland, January 18, 1837.
- No. 47. Title to Blythe Island.

- No. 48. Hon. J. S. Black to Secretary of the Navy, November 21, 1857.
 No. 49. Secretary of the Navy to Hon. J. S. Black, November 23, 1857.
 No. 50. Consent of the State of Georgia to a purchase made by the United States of Blythe Island, November 14, 1857.
 No. 51. Hon. J. S. Black to Secretary of the Navy, November 23, 1857.
 No. 52. Hon. James L. Seward to Secretary of the Navy, January 28, 1858.
 No. 53. Secretary of the Navy to Hon. James L. Seward, February 8, 1858.
 No. 54. Secretary of the Navy to Wm. P. S. Sanger, Esq., February 8, 1858.
 No. 55. Hon. J. L. Seward to Secretary of the Navy, February 11, 1858.
 No. 56. Wm. P. S. Sanger, engineer, to Secretary of the Navy, with map, March 23, 1868.
 No. 57. Resolution of United States Senate, May 6, 1857.
 No. 58. Secretary of the Navy to Hon. J. C. Breckinridge, President of the Senate, May 13, 1858.
 No. 59. Statement of the amounts, and for what objects expended, of the fund appropriated by Congress, for the purchase of a site on Blythe Island, for a navy-yard, &c.

No. 1.

SENATE CHAMBER, *February 10, 1857.*

SIR: It has occurred to us that in the establishment of the navy-yard at Brunswick you may deem it proper to employ a naval officer of rank. Captain McIntosh, whose qualifications and whose military career recommend him to the favorable consideration of the department, is a Georgian, and, should you think the public interests would be advanced by detailing him for such duty, it would much gratify your obedient servants,

ALFRED IVERSON,
 R. TOOMBS,
 MARTIN J. CRAWFORD,
 HOWELL COBB,
 JOHN H. LUMPKIN,
 ROBERT P. TRIPPE,
 N. G. FOSTER.

Hon. J. C. DOBBIN,
Secretary of the Navy.

No. 2.

NAVY DEPARTMENT, *February 14, 1857.*

GENTLEMEN: I have the honor to acknowledge the receipt of your communication of the 10th instant, recommending Captain McIntosh,

of the navy, for duty in connection with the establishment of the navy-yard at Brunswick, Georgia.

The first duty to be performed in relation to a naval depot at Brunswick will be to appoint a board of naval officers and engineers to select a suitable site. Should the present Executive appoint this board it will give me pleasure to suggest to him the name of Captain McIntosh, as the senior officer of that commission, whose connection with the new naval depot, I hope my successor may continue.

I am, respectfully, your obedient servant,

J. C. DOBBIN.

HONS. ALFRED IVERSON, R. TOOMBS, M. J. CRAWFORD, HOWELL COBB,
JOHN H. LUMPKIN, ROBERT P. TRIPPE, N. G. FOSTER.

No. 3.

HOUSE OF REPRESENTATIVES, *February 16, 1857.*

Will you allow me to call your attention to an act passed at the present session of Congress establishing a naval depot at Blythe Island, on the coast of Georgia. My object is to have a commission raised in order to have a site fixed preparatory to the purchase of the land necessary to commencing operations, as contemplated by the law. In the change of administration, which will take place at an early day, much time must be lost, which will result in delays which may prove detrimental to the government, and lose the spring and summer months—the best working season. Much anxiety is manifested by the citizens of Brunswick in regard to this work, and they urge me to ask your early action in the premises; and I hope you will find it compatible with your views of the public interest to take suitable measures to carry out the law at once.

Very respectfully, yours,

JAMES L. SEWARD.

Hon. JAMES C. DOBBIN.

No. 4.

NAVY DEPARTMENT, *February 18, 1857.*

SIR: I have the honor to acknowledge the receipt of your communication of the 16th instant, calling my attention “to an act passed at the present session of Congress establishing a naval depot at Blythe Island, on the coast of Georgia.”

The department will immediately call the attention of the President to the subject, and recommend the appointment of a board to examine and select a site.

Very respectfully, your obedient servant,

J. C. DOBBIN.

Hon. JAMES L. SEWARD,
House of Representatives.

No. 5.

HOUSE OF REPRESENTATIVES,
Washington, D. C., February 18, 1857.

SIR: In an interview with you yesterday in regard to the commission to locate a site for a "naval depot" on Blythe Island, in Georgia, I mentioned that I might wish to suggest the names of gentlemen to fill such commission. Commanders Aulick and Steedman, I understand, are officers of high character, and if it can be done without conflict with the public interest, I request that one or both of them be assigned for this duty. May I ask that this matter be attended to at once, so as to have the site selected, if possible, by the 4th of March, preparatory to negotiating for the purchase thereof.

Very respectfully, yours,

JAMES L. SEWARD.

No. 6.

NAVY DEPARTMENT, *February 19, 1857.*

SIR: I am instructed by the President to direct you to proceed to Brunswick, Georgia, without delay, as the senior member of a commission, to examine and report as to a suitable site on Blythe Island, on the coast of Georgia, for the establishment of a naval depot on that island, as authorized by the act of Congress approved January 28, 1857.

Such facilities as may be necessary to make the soundings, surveys, &c., it is probable you will be able to procure at Brunswick.

Commander H. J. Hartstene, Lieutenant J. M. Brooke, and Civil Engineer Calvin Brown, with yourself, compose the commission.

A copy of the act above referred to is sent herewith for your information.

I am, respectfully, &c.,

J. C. DOBBIN.

Captain JAMES M. McINTOSH,
United States Navy, New York.

NAVY DEPARTMENT, *February 19, 1857.*

SIRS: You will proceed to Brunswick, Georgia, without delay, and report to Captain James McIntosh, as a member of a commission to examine and report as to a suitable site on Blythe Island, on the coast of Georgia, for the establishment of the naval depot on that island, as authorized by the act of Congress approved January 28, 1857.

I am, respectfully, &c.,

J. C. DOBBIN.

Commander H. J. HARTSTENE,
United States Navy, Savannah, Georgia.
 Lieutenant JOHN M. BROOKE,
United States Navy, Washington, D. C.

No. 7.

NAVY DEPARTMENT, *February 19, 1857.*

SIR: You will proceed to Brunswick, Georgia, without delay, and report to Captain James M. McIntosh, as a member of a commission, to examine and report as to a suitable site on Blythe Island, on the coast of Georgia, for the establishment of the naval depot on that island, as authorized by the act of Congress approved January 28, 1857.

I am, respectfully, your obedient servant,

J. C. DOBBIN.

CALVIN BROWN, Esq.,

Civil Engineer Navy-yard, Norfolk, Va.

No. 8.

HOUSE OF REPRESENTATIVES, *February 23, 1857.*

As you are apprised, an appropriation of \$200,000 has been made by the present Congress to purchase a site and provide for a naval depot at Blythe Island, on the coast of Georgia. This amount being considered inadequate to consummate the object proposed, an additional appropriation will be necessary. Had the appropriation been made at the first session of the present Congress, as was expected, the site could have been purchased, and active operations been commenced before now, which would have created a necessity for an additional appropriation now. This, however, was not done. It will be apparent to you, as matters now stand, that before the meeting of the next Congress, or before adequate legislation can be had, that the work which may be begun, may have to be suspended for want of means. To obviate this difficulty, it is proposed to ask an additional appropriation, that no delay may be experienced, and to avoid any detriment to the government that might occur, from a suspension of operations after they shall have been commenced. With this view of the case, will you allow me to ask your opinion in regard to this matter, and if consistent with the views suggested, to get an estimate, with such recommendation as may seem to you right and proper.

Very respectfully,

JAMES L. SEWARD.

Hon. JAMES C. DOBBIN.

No. 9.

NAVY DEPARTMENT, *February 24, 1857.*

SIR: I have the honor to acknowledge the receipt of your communication of the 23d instant. It has been referred to the chief of the

Bureau of Yards and Docks, under whose immediate supervision the matters to which you allude come, and I have the honor to transmit herewith a copy of his reply.

I am, respectfully, your obedient servant,

J. C. DOBBIN.

Hon. JAMES L. SEWARD,

House of Representatives.

No. 10.

BUREAU OF YARDS AND DOCKS, *February 23, 1857.*

SIR: I have the honor to acknowledge your reference to this bureau of the communication of the Hon. James L. Seward, asking for an estimate of the amount that would be necessary to purchase a site, and provide for a naval depot, at Blythe Island, on the coast of Georgia, and respectfully state, that the bureau has no data upon which to base an estimate with any degree of accuracy. The site has not yet been selected, and before that is done various examinations should be made. The title must also be examined and certified to be good by the law officer of the government, jurisdiction over the land must be obtained from the State, before any expenditure of money can be legally made, either for the purchase of the ground, or for the erection of buildings, &c., thereon. The sum of \$200,000 is a small amount for the commencement of *improvements* for a navy-yard, if the site is unincumbered and paid for; no correct estimate therefore can be made, for docks, wharves, storehouse and workshops, until the premises shall have been examined, and the cost and kind of materials to be used, ascertained; it may, however, be said that \$500,000 is a moderate sum with which to commence the establishment of a navy-yard.

The letter of Mr. Seward is herewith returned.

I have the honor to be, with great respect, your obedient servant.

JOSEPH SMITH.

No. 11.

NAVY DEPARTMENT, *February 26, 1857.*

SIR: Your letter of the 20th instant, has been received. The department does not anticipate any difficulty in your finding at Brunswick a suitable boat and other necessities for making the survey. You will take duplicate vouchers for all expenditures, and will draw upon the department for funds to meet them, advising the department by the first opportunity of the number and amount of each draft.

Very respectfully,

J. C. DOBBIN.

Captain JAMES M. McINTOSH, *United States Navy.*

(Care of J. Farley Cox, Great Western Insurance Company, No. 33 Pine street, New York.)

No. 12.

BRUNSWICK, GEORGIA, *March 13, 1857.*

SIR: The commission designated by the President of the United States through your predecessor, "to examine and report as to a suitable site on Blythe Island on the coast of Georgia, for the establishment of a naval depot on that island," having completed the duty assigned to it, have made a report and annexed a sketch showing the most suitable position, in its opinion, for such location. I have deemed it proper to order Lieutenant J. M. Brooke to proceed to Washington with this report and sketch, that any further information or explanation which may be required by you may be made by an officer perfectly competent to give it; this step I hope you will approve. Here I might rest and leave to the better judgment of the department all further action in this matter; but, as the senior member of the commission, I trust I may be pardoned in calling your attention to a few suggestions, made with much diffidence and with great respect.

You will perceive from the report that no ship drawing over twenty-two feet will be able to reach the point designated on the plan for the depot except at high-water, a greater draft would put the ship on the bottom at low-water, a fact to be avoided always in vessels of war, if possible. We are constantly informed that ships of the heaviest draft in the navy can come up to Blythe Island; this is true to a certain extent; the bar forming the entrance into Turtle river, between the islands of St. Simons and Jekyl, is admitted to have eighteen feet water at low tide, a seven foot rise and fall of tide would make twenty-five feet at high-water, consequently with a smooth bar at full tide most of our frigates might enter having a foot or two feet to spare, and run up to the very spot designated for the depot; but the fall of seven feet reduces it again to eighteen or twenty feet, not enough for the frigate to float in; a sufficient depth can be found in St. Simons sound, under Jekyl Island, and in some parts of Turtle river for any ship to ride at anchor with safety that could cross the bar. But without incurring a heavy expense in dredging and building the necessary wharves over an extensive marsh, which you perceive from the chart and sketch, I am forced to say, in my opinion, no suitable site for a naval depot for our largest class ships can be found on Blythe Island.

If a depot however is established, then I think it most desirable for the government to purchase, if practicable, the island; it is only six miles in length, containing about two thousand four hundred acres of upland, and which in my opinion is well adapted to the growth of the live-oak, and which it has been ascertained is fit for the building of large class ships in sixty years, when planted from the acorn. I venture this assertion because I have been a resident in earlier life on our sea islands on this coast which produces the best live-oak, because I discover a similar soil on Blythe Island, and from finding much of the original growth to have been live-oak, killed by being girdled and by other means for the purpose of cultivating the island, and which is now covered, with the exception of a small portion which has been more recently cultivated, with a thrifty growth of yellow pine.

I consider further that the buildings and improvements would be very insecure should any attempt be made after they were built to cultivate the island with negroes who are known to be habitually careless with fires, and in a dry season with such inflammable materials as pine and palmetto if once kindled the conflagration most probably would only be checked by the limits of the island. It is also in the winter season when everything is dry and most apt to burn, frequently resorted to for game by hunters who make fires and leave them burning when they spread oftentimes to the destruction of property, and unless the government owned or leased the island, I see no means by which this dangerous difficulty could be avoided. There is again another reason, grog shops might be opened in all directions around the yard and liquor supplied to the mechanics and laborers without limit, which would produce insubordination and trouble that would require a very strong marine guard to suppress for no police or military relief could be obtained on the island.

I believe with care and judgment the whole island may be bought for a small advance upon what the commissioners deem absolute necessary for the depot. I make these remarks solely for the security of the government.

With the exception of Lieutenant Brooke the commissioners will await your further instructions in this vicinity, and letters will reach me at Darien, McIntosh county.

I have the honor to be sir, with great respect, your obedient servant,

JAMES M. MCINTOSH,
Captain United States Navy.

Hon. I. TOUCEY,
Secretary of the Navy, Washington, D. C.

No. 13.

BRUNSWICK, GEORGIA, *March 13, 1857.*

SIR: The commission appointed by the honorable Secretary of the Navy to select a suitable site on Blythe Island, on the coast of Georgia, for a naval depot, authorized by act of Congress approved January 28, 1857, have the honor to submit the following report, with a chart and sketch showing the form of the island, the character of its approaches, &c.:

REPORT.

The site selected by the commission, on the eastern shore, near the southern extremity of the island, may advantageously comprise that portion of upland and salt marsh lying south of the line on the chart, marked A B.

This site presents the following relative advantages: It is the most accessible to vessels, affords the deepest water nearest the upland, with

the greatest breadth of channel. In fact, the island does not present any other site available for a naval depot; for, with the exception of the northern shore, where the water is shoal, and a portion of about sixty yards on the eastern shore, south of the line A B, it is bordered by extensive salt marshes.

The upland, lying at a general elevation of five or six feet above common high-water mark, is estimated to contain about two thousand four hundred acres; is nearly level; a sandy but firm and rich soil. The greater portion has been under cultivation, but at this time, with the exception of a field on the southern part, containing about two hundred acres, it is overgrown with pines and young live-oaks. There are a few full-grown live-oaks, and the island presents abundant evidence of its adaptation to the growth of this valuable timber. Fresh water, apparently good, is obtained by sinking wells, and at this season it rises to within eight feet of the surface.

It will be observed, referring to the accompanying chart, that in constructing wharves, docks, and other improvements capable of accommodating vessels of the draft permitted to enter by the bar and harbor channels, it will be necessary to locate the quay wall at a considerable distance from the upland beyond the marsh, and to fill in the intervening space. This marsh consists of a deposit of tenacious mud, about ten feet in depth, and, as far as could be ascertained, resting upon hard sand.

The approaches to this site, with that part of Turtle river washing the eastern shores of Blythe Island, were surveyed by the hydrographical party under the command of Lieutenant Trenchard. We have consulted an authentic copy of that coast survey chart, and have sounded the other channels about the island. That branch of Turtle river which bounds the southwest shores of the island, included within the limits of the proposed site, offers some facilities as a water front, but the channel is narrow and crooked. It would serve subordinate purposes in the economy of a naval depot.

The commission, having in view the interests of the government, respectfully suggest the purchase of the whole island, since it could probably be obtained at a small advance upon the cost of a site for the naval depot. The operatives would be protected from the extortion of land owners, there would be less danger to public property from fire, and the live-oak could be successfully cultivated.

We have the honor to be, very respectfully, your obedient servants,

JAMES M. McINTOSH,
Captain, United States Navy.
H. J. HARTSTENE,
Commander, United States Navy.
JOHN M. BROOKE,
Lieutenant, United States Navy.
CALVIN BROWN,
Civil Engineer.

Hon. ISAAC TOUCEY,
Secretary of the Navy, Washington, D. C.

No. 14.

NAVY DEPARTMENT, *March 18, 1857.*

SIR: Your letter of the 12th instant, inclosing the report of the commission, of which you were the senior member, as to a suitable site, on Blythe Island, coast of Georgia, for the establishment of a naval depot on that island, has been received by the hands of Lieutenant John M. Brooke.

Having performed the duty assigned to you, you will return to your residence in the city of New York, and regard yourself as waiting orders.

I am, respectfully, &c.,

I. TOUCEY.

Captain JAMES M. McINTOSH,
United States Navy, Brunswick, Georgia.

No. 15.

NAVY DEPARTMENT, *March 18, 1857.*

SIR: Having performed the duty assigned to you under your order of the 19th of February, you will return to your residence at Savannah, Georgia, and regard yourself as waiting orders.

I am, respectfully, &c.,

I. TOUCEY.

H. J. HARTSTENE,
United States Navy, Brunswick, Georgia.

No. 16.

NAVY DEPARTMENT, *March 18, 1857.*

SIR: Having performed the duty assigned to you, under the orders of the department of the 19th ultimo, you will return to your duties at the navy-yard at Norfolk, Virginia.

I am, respectfully, your obedient servant,

I. TOUCEY.

CALVIN BROWN, Esq.,
Civil Engineer, Brunswick, Georgia.

No. 17.

WASHINGTON, *March 23, 1857.*

SIR: The commissioners appointed by your department to locate a naval depot on Blythe Island, near Brunswick, Georgia, having at-

tended to that duty, and having presented a report to your department on the 18th of the present month, the undersigned, being one of the proprietors of the property designated by said commissioners, and having full power to negotiate the sale of the same, would respectfully call your attention to said report, and would request its immediate reference to the appropriate bureau, that the facts in relation to said location may be suitably and speedily spread before you.

I must beg your indulgence for pressing this matter, as it is my only business in Washington, and I am anxious to return to my residence in Preston, Connecticut.

I have the honor to be, very respectfully, your obedient servant.

AMOS DAVIS.

Hon. I. TOUCEY,
Secretary of the Navy.

No. 18.

BUREAU OF YARDS AND DOCKS, *April 11, 1857.*

SIR: I have the honor to acknowledge your reference to this bureau of the report and accompanying plans of the commission appointed to select a site for a naval depot on Blythe Island, Georgia, and in compliance with the indorsement thereon, to submit the following remarks:

The bureau is personally unacquainted with the waters and country of Blythe Island, but from the report of the commissioners, and the plan accompanying it, is of the opinion that the site selected is the best the island affords; and the law confides no discretion to select any other location.

It will be seen by the chart that off this site no vessel of two hundred feet in length, can swing at anchor, therefore it will be necessary when vessels come to the yard to moor them head and stern, or make them fast to a wharf or pier. Safe and convenient anchorage, however, is shown not far seaward of this site.

The commissioners have marked a plat containing about 400 acres of upland and 600 acres of marsh. It will be seen, also, that either a wharf of wood or stone, or of both combined, or an embankment of earth, must be made of about 800 feet, to allow a communication by land to the eighteen-feet water-line of the channel, if the chart be correct.

The commissioners have marked a space comprising about eleven hundred acres of upland and marsh, which embraces all the ground south of line A B.

I have marked a plat containing about 600 acres of upland and marsh, which would be a large area for a navy-yard. I have also marked a space of 80 acres of upland and marsh, which would be ample for all the purposes of a navy-yard at that place, as the marsh south of this line I consider only valuable to prevent encroachments near the yard.

Of the value of these grounds, upland and marsh, I cannot speak

with confidence, being entirely unacquainted with the value of land there, and Lieutenant Brooke, one of the commissioners, is unable to enlighten me on this point.

Should the department purchase one of these sites, I would recommend that the balance of the appropriation be expended, first, in the erection of quarters for the commandant and engineer, and the construction of a wharf or road by which to communicate with the eighteen-foot water-line.

The report and plans are herewith returned.

I have the honor to be, very respectfully, your obedient servant.

JOSEPH SMITH.

Hon. ISAAC TOUCEY,

Secretary of the Navy.

No. 19.

WASHINGTON, D. C., *April 17, 1857.*

SIR: The proprietors of Blythe Island understand from the Hon. James L. Seward, of Georgia, that you would receive propositions from them for the purchase of a site for the "naval depot" on Blythe Island, Georgia, thus:

For the 80 acres designated by Commodore Smith; for the 600 acres, also designated by him; for the 1,100 acres indicated on the map accompanying the report of the commissioners who marked the site; for the whole island, the balance not now taken, subject to the approval of Congress by appropriation hereafter.

The following propositions are submitted by the proprietors, with the accompanying remarks:

For 80 acres, being the principal water-front, \$120,000.

For 600 acres, embracing the 80 acres, with water front, \$140,000.

For 1,100 acres, embracing the preceding, with water-front, \$150,000.

For 4,205 acres, subject to the approval of Congress, \$250,000.

The proprietors of Blythe Island, in submitting the proposition to sell the 80 acres of land, as above, are sensible of the fact, that, if they retain the balance of the island, by divesting themselves of the 80 acres, they would materially reduce the value of the remaining portion of the island. In fact, the balance would be left upon their hands at a mere nominal value. The 80 acres of land, commanding as it does, the *deep water* front, if sold, will become detached from the other high land, the value of which, aside from its agricultural value, will be diminished and made wholly objectionable for building purposes, on account of its proximity to the government works hereafter to be constructed, and from the inevitable annoyances of laborers, sailors, and marines, always to be kept employed near to, and in front of the adjoining high lands.

For these reasons, they prefer selling a greater quantity of land at a graduated price below that mentioned for the 80 acres. The 600 acres, constituting a quantity of land, of which the 80 acres are a

part, lying adjacent, and partly intermediate the water front, and the balance of the land, making the 1,100 acres, would, in a correspondingly diminished ratio, affect the remaining portion of the land controlled by the same facts and affected by the same reasons. So, also, as to the 1,100 acres. The value of the whole island, with an aggregate estimate placed upon it, as the proprietors know from their acquaintance with the locality, and the public appreciation of it in that vicinity, depends upon the eligibility of certain parts of the island, its water front, and the surrounding view, which makes this island a most attractive and beautiful spot for a town, or for private residences. The value of the property would be essentially depreciated by parting with that portion of it bordering upon the deep water. These several matters can only be properly and justly considered by persons familiar with the location of the island, and the peculiar circumstances which give it its value. The proximity of Blythe Island to Brunswick, its accessibility by railroads, in process of construction, its advantages for navigation, all conspire to give peculiar value to the property. The proprietors would prefer not to divide the island as proposed, if fair terms could be agreed upon for the purchase of the whole property, as they are satisfied that their interests would materially suffer by parting with any separate portion of it. If the government should contract for the 80 acres, the 600 acres, or the 1,100 acres, absolutely, the proprietors would enter into an executory contract, subject to the approval of Congress, (otherwise to be void,) to convey the balance of the island for the additional compensation, making the whole amount of \$250,000. The department will doubtless remember that the choice of our land is made by the government. We are not called upon to select what portion of the island we would prefer selling, but are called upon to part with the most valuable portion of the island, without regard to its relative value. We consider any sale an inconvenience and damage to us rather than a benefit, unless we dispose of the whole island, 4,205 acres, which we estimate at \$250,000, being a fraction less than \$60 per acre. Mr. Davis, acting in behalf of the proprietors of Blythe Island, would be pleased to have an interview with the Secretary of the Navy, and asks that he will designate the time, say tomorrow, or any future day, that the propositions may be reviewed and considered, personally, so as to accommodate any reasonable view that may be entertained by the government.

I have the honor to be, respectfully, your obedient servant.

AMOS DAVIS,

For the Proprietors of Blythe Island.

HON. ISAAC TOUCEY,
Secretary of the Navy.

No. 20.

WASHINGTON, April 29, 1857.

SIR: The undersigned, being agent of the proprietors of Blythe Island, on the coast of Georgia, has the honor to call your attention

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to the accompanying bill authorizing the President "to purchase a site for a navy depot on Blythe Island, on the coast of Georgia," and also to the following propositions on the part of the proprietors, with the accompanying remarks:

The propositions for a sale of portions or the whole of Blythe Island, submitted by the proprietors, are as follows:

The proprietors will sell eighty acres, embracing the deep water front, for \$120,000; 600 acres, embracing the same, for \$140,000; 1,100 acres, being the site located by the commissioners appointed to locate a site for the navy depot, for \$150,000.

If the government will purchase *at once* either of the above-mentioned portions, at the prices named, the proprietors will enter into an executory contract to sell the whole island for such a sum as, together with the price of the portion first taken, should amount to \$250,000; the executory contract for the sale of the whole of the remaining portion to depend upon an appropriation by Congress.

The undersigned respectfully invites the attention of the President to the following *reasons* why the government should at once purchase a portion of the island, and enter into an executory contract for the purchase of the whole remaining portion at the prices above named:

1. For depth of water, capability for defense, salubrity of climate, contiguity to timber and natural advantages of ground, there is no locality for a navy-yard in the United States equal to Blythe Island. Reference may be had to the commissioners appointed under the orders of the late President to locate the naval depot at this point for confirmation of this statement.

Blythe Island being the only eligible point for a navy depot within a harbor, admitted to be best on the whole Atlantic coast south of Norfolk, its possession is indispensable to the government at any price.

2. The island contains 4,205 acres; \$250,000, the price asked for the whole island, would be not quite sixty dollars per acre.

3. Two thousand five hundred acres of the island are of the best quality for planting or farming, and have been for many years cultivated for Sea-island cotton. This portion of the island is worth \$100 per acre for simply growing Sea-Island cotton. If Brunswick, only two miles distant, becomes a large city, as it inevitably must, the land will be worth twice as much for market gardening.

4. It will be worth even more for villas and private residences, on account of its beautiful location.

5. A large portion of the island is covered with timber, and the material, as it now stands on the island, will be worth to the government at least \$100,000 for use in the works to be constructed.

6. The island was originally covered with *live-oak*, said by Michaux, in his *Sylva Americana*, to be, at this locality, the best in the United States. Young live-oaks are springing up all over the island.

Suppose that live-oaks were suffered to grow or were planted on 2,000 acres. These trees at this locality attain a diameter of two feet in twenty years. Live-oak costs the government at Norfolk two dollars per cubic foot. In twenty years each tree would contain at least twenty cubic feet, and would be worth at least forty dollars. If only ten trees

should grow an acre, the value of the timber on 2,000 acres in twenty years would be \$800,000.

7. The island is owned, in common and undivided, by a dozen or more individuals, who *now* have joined in a power of attorney authorizing a sale to the government on the terms proposed.

The proprietors of the largest shares are owners of property in the adjoining city of Brunswick, and in the railroads and canal communicating with that city, and are willing to sell for the price now asked—much less than the real value—on account of the incidental benefit which will accrue to their other property from the establishment of a naval depot in the vicinity. Some of the proprietors have no such motive; and there is imminent danger, if the sale is not closed at once, that they will withdraw the power to sell, with the view of getting a better price from other parties. It is particularly important that the sale, if it is to be made, should be closed before the 14th of May next, at which time the semi-annual sale of city lots will take place at Brunswick, when great excitement in relation to investments in property will exist in that place.

8. Other purchasers of this property have lately offered very advantageous terms to the proprietors; for instance, the Macon and Brunswick Railroad Company are desirous of obtaining a portion of the island for the terminus of their road.

9. The proprietors are desirous, for obvious reasons, if they sell at all to the government, to sell the whole island. If only 80 or 600 acres are sold the whole of the deep-water front will be taken, and the remaining portion of the island will be valueless for commercial purposes. If a naval depot is established on any part of the island, the rest of the property will be ruined for villas and private residences of a superior class. The population of a naval depot, consisting, as it will, principally of laborers, sailors, and marines, will be of such a character as to render the rest of the island a most unsuitable place of residence for the class which would otherwise occupy it. It is, in view of the fact that a sale of a part of the island would diminish the value of all the rest, that the proprietors ask such *apparently* disproportionate prices for the several portions offered.

10. On the other hand it would be of the utmost importance to the government to have the control of the whole island. They will save an enormous expense for inclosures. They will not be cramped for room as they now are at every other navy-yard in the country. They can exclude dram-shops and disorderly houses, and a class of people who ordinarily prey upon sailors and marines. They can secure the property at the depot from depredators and incendiaries. They can have hospitals entirely separated and at a distance from the places of labor—a point which experience at Norfolk and Brooklyn has shown to be of the highest importance.

11. Appropriations of land for government works have been almost invariably made on too limited a scale. This is shown at the Capitol and arsenal, in the city of Washington. The navy-yards at Charlestown, Brooklyn, Philadelphia, and Norfolk, are all too limited, and the purchase of more land for each of them has been recommended. The defect of too narrow limits is not easily remedied, for an extension

requires the demolition or reconstruction of works erected at great expense.

The opportunity is presented at Blythe Island of laying out a naval depot or navy-yard at the central point of American commerce, at a point near the West India Islands and the Gulf of Mexico, and therefore near the seat of future naval operations, upon a scale commensurate with the expansion of our country and commerce, and with the future increase of our navy. It is believed that the commissioners had these views in recommending the purchase of the whole island.

Finally. The city of Brunswick is destined to be, at no distant day, the most important commercial city south of Baltimore, with the exception, perhaps, of New Orleans. Its harbor will admit vessels of the largest class. Its salubrity will render it accessible at every season. It will be connected with the Altamaha river by a canal nearly finished, opening over 500 miles of steamboat navigation, and thus will become the most important place on the whole coast for the export of southern pine. It will be connected with the gulf by the Brunswick and Florida road, now under construction and partly in operation, and being the nearest Atlantic port to the Mississippi, and nearly on the line of the thirty-second parallel of latitude, will be the eastern terminus of the Southern Pacific railroad. It is to be the terminus of the Macon and Brunswick railroad, which will receive the freight on 2,500 miles of railroad destined for Atlantic ports. These connections must make Brunswick, with its admirable advantages as a shipping port, in a few years, a great city. Blythe Island is only two miles distant, and directly in front of this city. Judging from the value of land contiguous to other important cities, it is safe to estimate that this island in ten years will be worth ten times the price now asked for it. Now is the time, if ever, for the government to secure it.

I have the honor to be, respectfully, your obedient servant,

JOHN L. HAYS,

Agent for Proprietors of Blythe Island.

The PRESIDENT OF THE UNITED STATES.

NOTE.—The commissioners were Captain McIntosh, Commander Hartstene, Lieutenant Brooke, Civil Engineer Brown, all of the United States navy, and appointed without consultation with the proprietors under instructions to report to the Secretary of the Navy.

No. 21.

[Private and Confidential.]

NAVY DEPARTMENT, *May 4, 1857.*

MY DEAR SIR: By direction of the President, I have been looking into the subject of the purchase of a site for a naval depot on Blythe Island, and for this purpose requested a proposition from the proprietors of the terms on which they would dispose of 80 acres, 600 acres,

1,100 acres, and the whole island. I have received from them the following, to my mind, very extravagant propositions:

For 80 acres of upland, embracing the deep-water front.....	\$120,000
For 600 acres, embracing the above 80 acres and deep-water front.....	140,000
For 1,100 acres, embracing the 600 and 80 acres and water front.....	150,000
For the whole island.....	250,000

You will perceive that for the 80 acres the price charged is at the rate of \$1,500 per acre, whilst for 520 acres, the balance of the parcel of 600 acres, is offered at a little more than \$38 an acre, and for 500, the balance of the 1,100-acre lot, at the rate of a little over \$9 an acre.

I am very desirous of carrying out the law with promptness and a due regard to the rights of individuals and the interests of the government, and have therefore addressed you this communication to show the embarrassment in which the department is placed, and to ask your views with regard to the different propositions.

I have the honor to be, very respectfully, your obedient servant,
ISAAC TOUCEY.

Hon. JAMES L. SEWARD,
Thomasville, Georgia.

Also, to—

Hon. A. IVERSON,
Columbus, Georgia.

No. 22.

COLUMBUS, GEORGIA, *May 8, 1857.*

DEAR SIR: Your letter of the 4th instant, addressed to the Hon. James L. Seward, but directed to me under cover, and marked "private and confidential," has been received. I presume that it is a copy or duplicate of one written to Mr. Seward, and intended to elicit his and my opinion and advice upon the matter in hand. I am free to say that, from conversations which I held with Messrs. Davis and Hays, representing the owners of Blythe Island, before I left Washington, I suspected an intention upon their part to demand a most extravagant sum for the site selected for a naval depot on that island; and it was in consequence of the impression made on me that I sought an interview with you on the subject, and suggested caution in making the purchase. I am satisfied that the price demanded, as stated in your letter, is extravagant and inadmissible. The present owners of the island, I am informed, did not pay more than fifteen or sixteen thousand dollars for it, and now to put it at two hundred and fifty thousand dollars is preposterous. I was and am the warm friend of the establishment of this depot at Brunswick, but I do not hesitate to declare that I would vote for a repeal of the law before I would sanc-

tion such an imposition upon the government. In a conversation which I had with Mr. J. L. Seward on the day of my departure from Washington we agreed that not more than seventy thousand dollars should or ought to be given for the 1,000 acres marked out as the site by the commissioners, one hundred dollars per acre for the 400 acres of high land, and fifty dollars per acre for the 600 acres of marsh. I remain of that opinion, and would suggest to you, if 1,000 acres are deemed necessary or important, to offer them that sum as an ultimatum, and state to them, *in terms*, that if they do not accede to your proposition you will decline any further action in the matter, and refer it to the next Congress. This is my advice, and I will sustain you in this course in the Senate if any discussion shall arise upon the subject.

I respectfully suggest that you do not purchase more than the quantity of ground embraced in the plat marked out by the commissioners. If it is deemed better to limit the quantity to eighty acres of upland, I think \$500 dollars an acre would be the very highest price that ought to be given for it, and this should embrace the 600 acres of marsh, which is valueless to the owners—\$40,000 for the whole. I take the liberty of warning you against influences that will be, no doubt, attempted to be brought to bear upon you, and to suggest that, in the event of further difficulty in agreeing upon the price, you send a confidential agent to Brunswick to make inquiries as to the real value of the land, and to consult with leading *disinterested* citizens of that vicinity upon the policy to be pursued. If you have no other person, and my other engagements shall not conflict, I would not object to act for you in such investigation, charging nothing for my services except actual expenses.

I am, very respectfully, your obedient servant,

ALFRED IVERSON.

Hon. I. TOUCEY,
Secretary of the Navy.

No. 23.

OFFICE OF THE BRUNSWICK AND FLORIDA RAILROAD,
Brunswick, May 23, 1857.

The undersigned, chief engineer of the Brunswick and Florida railroad, resident of this place for more than two years past, having read the proposition submitted to the government for the purchase of a naval site on Blythe Island, begs leave to make the following statement.

The undersigned has made a personal reconnoissance of Blythe Island. Its geographical features and other natural advantages, indicate it as a site for a large commercial city, and in the opinion of the undersigned, the island must be turned to this use, if not appropriated by the United States for a naval depot. The undersigned therefore feels justified in saying, that the value placed upon Blythe Island by its owners is not only reasonable and equitable, but that the offer they

have made is a liberal offer towards the government. This opinion is given without reference to prospective value, and is founded solely on the state of things as now existing in Brunswick and its vicinity.

Respectfully submitted,

CHARLES L. SCHLATTER,
*Chief Engineer, formerly Chief Engineer of the
Public Works of the State of Pennsylvania.*

His Excellency JAMES BUCHANAN,
President of the United States.

No. 24.

BRUNSWICK, May 23, 1857.

The undersigned county surveyor for the county of Glynn, in the State of Georgia, respectfully represents that he has examined the several propositions submitted to the Navy Department by the proprietors of Blythe Island, for the purchase of parts or the whole of that island for the establishment of a naval depot, (of which propositions a copy is hereto annexed.)

Having an intimate personal knowledge of the relative value of property in and about Brunswick, and especially of the great advantages possessed by Blythe Island as a site for a naval depot, or, if not applied to that purpose, as a commercial site for a city, which shall be the concentrating point of the several lines of internal communication now in process of construction towards the harbor of Brunswick, I respectfully represent that the prices attached to the several propositions are not only fair and equitable in themselves but liberal towards the government, and such as the government should not hesitate to accept.

And I respectfully ask that the purchase may be concluded, so that the law passed by Congress at its last session may be executed without further delay.

Very respectfully,

JOHN W. TISON,
County Surveyor.

His Excellency JAMES BUCHANAN,
President of the United States.

No. 25.

BRUNSWICK, May 23, 1857.

The undersigned citizens and judges of the inferior court of the county of Glynn, State of Georgia, respectfully represent that they have examined the several propositions submitted to the Navy Department by the proprietors of Blythe Island, for the purchase of parts or the whole of that island for the establishment of a naval depot, (of which propositions a copy is hereto annexed.) Having an intimate

personal knowledge of the relative value of property in and about Brunswick, and especially of the great advantages possessed by Blythe Island as a site for a naval depot, or, if not applied to that purpose, as a commercial site for a city, which shall be the concentrating point of the several lines of internal communication now in process of construction towards the harbor of Brunswick, we respectfully represent that the prices attached to the several propositions are not only fair and equitable in themselves, but liberal towards the government, and such as the government should not hesitate to accept.

And we respectfully ask that the purchase may be concluded, so that the law adopted by Congress at its last session may be executed without further delay.

JULIAN M. BURNETT, *J. I. C. G. C.*

J. M. TISON, *J. I. C. G. C.*

E. M. MOORE, *J. I. C. G. C.*

J. S. MARLIN, *J. I. C. G. C.*

I, Arthur E. Cochran, judge of the superior court of the State of Georgia for the Brunswick district, having examined the foregoing propositions and the representations of the justices of the inferior court thereunto attached, fully concur therein, and unhesitatingly indorse them.

ARTHUR E. COCHRAN,
J. S. C. B. D.

I am well acquainted with the prices of property at Brunswick, and concur fully with the justices of the inferior court of that county that the price asked for Blythe Island is fair and reasonable, that the government of the United States ought not to hesitate to pay it.

Yours, &c.,

ROBERT COLLINS.

His Excellency JAMES BUCHANAN,
President of the United States.

No. 26.

COUNCIL CHAMBER, CITY OF BRUNSWICK,
May 26, 1857.

At a meeting of the mayor and council of the city of Brunswick, held this 26th day of May, 1857, the following resolution was unanimously adopted:

Whereas the several propositions submitted to the Navy Department by the proprietors of Blythe Island with regard to the purchase of a site on said island for the establishment of a naval depot, in pursuance of an act of Congress passed at its last session, are, in the deliberate opinion of this body, fair and just towards the general government; the prices attached to the several propositions being much

less than could be realized for the property if sold and used for other purposes:

Be it resolved by the mayor and council of the city of Brunswick in council assembled, That we earnestly recommend the United States government to conclude the purchase of said site on one of the propositions submitted and hereto attached.

Resolved further, That we suggest and recommend the purchase of the entire island, being satisfied that the interest of the government would be greatly advanced thereby.

Passed in council, May 26, 1857.

THOMAS HAUSTAN,
Mayor City of Brunswick.

GEORGE W. FAHM,
Clerk City of Brunswick.

To his Excellency James Buchanan, President of the United States:

The undersigned, citizens of the county of Glynn, State of Georgia, respectfully represent: That they have examined the several propositions submitted to the Navy Department by the proprietors of Blythe Island for the purchase of parts or the whole of that island for the establishment of a naval depot, of which propositions a copy is hereto annexed. Having an intimate personal knowledge of the relative value of property in and about Brunswick, and especially of the great advantages possessed by Blythe Island as a site for a naval depot, or, if not applied to that purpose, as a commercial site for a city which shall be the concentrating point of the several lines of internal communication now in process of construction towards the harbor of Brunswick, we respectfully represent that the prices attached to the several propositions are not only fair and equitable in themselves, but liberal towards the government, and such as the government should not hesitate to accept.

And we respectfully ask that the purchase may be concluded, so that the law adopted by Congress at its last session may be executed without further delay.

James T. Blain,
G. Friedlandly,
John B. Lasserre,
Joseph Dangaix,
Andrew Monnier,
B. F. Griffin,
G. N. Philips,
W. Dart,
T. G. Woffett,
Alexa. Scrunton,
G. D. Woodbridge,
Jabez Grimes,
James B. Cleveland,
D. A. Houston,

William Dixon,
George W. Fahm,
Tho. Bourke,
H. Lord P. King,
Henry Du Bignon, jr.
John Pratt,
H. B. Johnston,
J. H. Morris,
M. C. Wilkinson,
J. W. Dixon,
J. M. Williams,
Richard Greenfield,
James A. Clubb,
John J. Burnett,

B. Winton,
 James D. Morgan,
 D. J. Holliway,
 Henry F. Bach,
 John D. Steuart,
 John Portell, jr.
 R. Cohen,
 M. Doty,
 J. Lessner,
 John A. B. Williams,
 Isham W. Hawkins,
 S. J. Gorton, ordinary G. C.
 James W. Hurt,
 George R. Frazer,
 Alexander S. Blount,
 W. H. Spright,
 C. W. Styles,
 Joshua Griffith,
 J. C. Moore,
 D. L. Goodbread,
 William S. Smith,
 D. H. Smith,
 C. M. Williams,
 J. D. Wilkenson,
 William Dicksar,
 Charles C. Uther,
 Lyman H. Barnes,
 L. L. Spears,
 J. H. Sikes,
 Nicholas Dixon,

W. G. Armor,
 Henry Ferrill,
 John Glover,
 E. H. McCorm,
 G. W. L. Hall,
 J. Whitby,
 W. S. Cole,
 B. A. Lyon,
 William R. Bunkley,
 C. W. Dixon,
 Thomas Golden,
 Samuel Brooks,
 E. H. Gatchell,
 Timothy Minchan,
 Timothy Mahony,
 William Mahony,
 John B. Arnold,
 J. M. Brown,
 Edward Burkes,
 Henry J. Coleman,
 P. F. Batemen,
 C. J. A. Rhoads,
 J. M. Lain,
 S. L. Guest,
 A. A. Davis,
 L. H. Jordan,
 A. J. Miller, att'y at law,
 H. B. Harris,
 Luther Koel,
 C. M. Harris.

No. 27.

MAYOR'S OFFICE,
Brunswick, Georgia, May 27, 1857.

Permit me, as mayor of this *embryo* city, to very respectfully call your attention to the location and purchase of the site for a naval depot on Blythe Island, near our city, in pursuance of an act of Congress, passed at its late session.

I am informed that some difficulty has arisen, in consequence of the price that has been placed upon the several propositions submitted to the Navy Department by the owners of the property; and I have therefore carefully examined them, and I am satisfied that the propositions are reasonable and just—indeed, much more so than I expected to find them. The location is, indeed, an admirable one; I hesitate not in declaring it to be, all things considered, the best one on the globe. The great natural advantages of the position; its nearness to the ocean, and under the influence as it is of the sea-breezes; the health of the site, surrounded as it is by pure salt water; the mild-

ness of the climate both in summer and winter; the central position with regard to all the materials for ship-building and naval stores, and its easy access and defense, will make it in a very short time, the *most* important naval station in our country, and will do much towards cementing the bonds of our Union, and perpetuating our government.

With regard to the value of the property, as I before said, I am satisfied that the propositions are both liberal and just; and I am induced to come to this conclusion, from the present value of other property, in and near our city. Our city councils appointed three assistants to assess the value of all real estate within the corporate limits—and the limits cover several miles in extent—and within those limits there is a tract of land not laid out in lots, which does not cover as much water front as the proposed naval site, and the depth of water is much less and greatly inferior in other respects, and in the return made by the assessors, only two days since, the value of this tract is put down at a sum nearly double that asked for the first proposition of 80 acres; and within the city proper, as much water front as the 80 acres cover on Blythe Island, and where the advantages in every particular, cannot be at all compared with those of Blythe Island, was placed at a sum nearly three times as much as that asked for the 80 acres on Blythe.

I am, therefore, of the opinion, deliberately and impartially formed, that the propositions are reasonable, proper, and equitable, and that the government should not, for a moment, hesitate to make the purchase on either of the propositions, satisfied as I am that the greatest benefit will result to the benefit of our common country.

Accept my compliments and congratulations, and believe me to be most sincerely and truly, respectfully yours.

JAMES HAUSTAN,
Mayor City of Brunswick.

Hon. JAMES BUCHANAN,
President of the United States.

No. 28.

COLUMBUS, GEORGIA, *May* 26, 1857.

DEAR SIR: I inclose a communication upon the subject of the naval depot at Brunswick, and the purchase of a site for the same on Blythe Island. It is not as extended as I could wish, but still I fear it is tedious even in its present form, and I was unwilling to inflict more trouble of reading upon you. It is not my intention to make this communication a private and confidential one, but authorize you to make whatever use of it you deem proper. I am willing to stand by all that I have said in it, either in Congress or at home. I will take occasion however here, to say, that I shall not feel aggrieved or mortified should the department consider it proper, looking at the whole subject with a view to execute the law, to give a larger price for the site than I have advised. I am anxious for the prompt execution of the act of Con-

gress, and for the prosperity of Brunswick, but cannot recommend the purchase at a mark which I deem highly exorbitant.

My expenses going and returning on this service were forty-five dollars, which you will do me the favor, agreeably to your letter of the 13th instant, to remit me by check on New York.

I am, very respectfully, your obedient servant,

ALFRED IVERSON.

Hon. I. TOUCEY,
Secretary of the Navy.

COLUMBUS, GEORGIA, *May 26, 1857.*

DEAR SIR: Agreeably to your request, contained in your letter of the 13th instant, I proceeded at once to Brunswick, from whence I had just returned. I spent two days and a half in making inquiries and obtaining such information as was accessible to me upon the subject of my visit. I found it difficult to obtain disinterested opinions as to the real, as well as the relative and prospective value of Blythe Island, upon which the act of Congress fixes the naval depot. The citizens of Brunswick and its vicinity are deeply concerned for the erection of the naval depot near their city. The direct and collateral advantages to their growing town of the establishment of the depot at or near it, are considered of great importance; besides which there is another circumstance and consideration which operates a powerful influence upon their opinions and wishes. The principal owner of Blythe Island, Mr. Amos Davis, is also the third owner of the Brunswick and Altamaha canal, the completion of which is considered of vast importance to the city. It is understood that he is crippled in his pecuniary resources and unable to furnish his quota of the funds necessary to complete this work unless he can sell Blythe Island at a *large* price to the government. The money which he is expected to realize from his interest in the island is to be applied to the completion of the canal. Hence, the people of Brunswick are not only willing, but anxious that the proprietors of Blythe Island shall obtain as large a price as possible for their property. I mention these facts and considerations to show how difficult it was and is to obtain reliable information as to the value of the property and disinterested opinions as to what the government ought to pay for it. About twenty years ago, Mr. Davis purchased the island from its then owner for \$12,000. It was occupied as a plantation for the culture of Sea-island cotton. Mr. Davis purchased it, no doubt, with a view to the ultimate establishment of a naval depot upon it. He has subsequently from time to time parted with portions of it, and is now the owner of about one fourth of the whole island, the balance being divided amongst some fourteen or fifteen proprietors. What price was paid for these shares I have not been able to learn. It is said that \$100 per acre has been paid for some of these interests. I ascertained, to my satisfaction, from good sources, that the whole island would not now sell for more than \$15,000 for agricultural purposes and apart from any adventitious value from a naval depot or contiguous growing city. I am, however, satisfied that, apart

from the establishment of the naval depot upon it, the island could now be sold for at least \$50,000.

It has a contingent prospective value, in view of being made the terminus of an important railroad and the site of a town rivalling, if not destroying, the present city on the opposite main land. I do not believe, however, that more than \$50,000 could be commanded for the island if the depot was located at any other point. The island contains about 2,800 acres of upland, and some 1,400 acres of marsh. The upland is high and dry—good farming land—and covered now with a pretty dense growth of small yellow pine, with some live-oak and other growth. It has not been planted, except in very small patches, for fifteen or twenty years. The contiguous marsh is pretty hard and firm, but is covered with water at high tide, and altogether valueless for building or other purposes without much filling up at heavy expense.

I made a personal examination of the island, and, therefore, speak with *knowledge* of its condition. The commissioners who were sent by the late Secretary of the Navy to examine and select a site for the depot surveyed and marked out a tract embracing the lower or south end of the island, and all the marsh contiguous to it, and containing, it is understood, upland and marsh, about 1,100 acres—600 upland and 500 of marsh. It is this tract which those commissioners recommended the government to purchase for the purposes of the naval depot. I do not hesitate to indorse the recommendation of the commissioners and to advise the purchase of this tract. It embraces all the valuable deep-water front of the island, and would, effectually, prevent the building up of a town or city on the island, and thus avoid a troublesome and injurious neighbor to the government works and employés, and increase the prospect of a reasonable purchase of the whole island, if, at a future day, it should become the policy of the government to own it. It is true that 80 or 100 acres, and perhaps even a smaller quantity, embracing the deep-water front above referred to, might answer the present purpose of the government, but it is believed that a larger tract would answer a better purpose, and it is, doubtless, the fact that the proprietors could afford, and, perhaps, would be willing to sell the larger tract for the same, or nearly the same, price that the smaller quantity would command. When they give up the deep-water front they surrender the contingent, and, perhaps, the real value for the most part of the balance of their property; 1,100 acres occupied by the government, the balance of the island would only and mainly be available for planting purposes or private residences, or steam mills, or other similar work of private enterprise. Whether the contiguity of the government works would increase or diminish the value of the remaining portion of the island is a mooted question upon which there is much difference of opinion, and upon which I am unable to decide. I do not consider that the 400 acres of marsh lying below the point of the high land would ever be of much consequence or use to the government; nevertheless, I should deem it most prudent for the government to own it, as there is deep water all along its shore, and structures might be erected upon it hereafter which would endanger the public property. A portion of it at the

upper end, and contiguous to the high land which makes down to the water, could be made available, at some expense, either of piling or filling up for wharves and similar objects. The site selected by the commissioners is very eligible in every respect for the purposes contemplated, having every advantage which could be desired of deep water, a bluff shore, high, dry land, good drinking water, healthy situation, and complete protection from storms.

There are two other points near the city of Brunswick that might answer for a naval depot, though neither of them possess the advantages of Blythe Island. I do not, however, speak from very reliable information, as to the other places suggested, but from what I could ascertain, I suppose that Jekyl Island, within the harbor of Brunswick, or rather in St. Simon's sound, would afford deeper water in a bluff shore, than can be found at Blythe Island. The objection to it is, that it is too near the sea, and necessarily more exposed to danger from an enemy, as well as from winds. The other point is at Devin's Folly, on the extreme southern or eastern terminus of the peninsula upon which the city of Brunswick is situated. There is doubtless as much or more water at that point than at Blythe Island, and it is perhaps more convenient in many respects; but is objectionable, because there is not sufficient high land for a naval depot, without expensive filling up. There are only some eight or ten acres of high land at the "point;" the land for a half mile between that point and the high land of the city being overflowed at high water. It is true, that the water could be excluded by throwing up an embankment of four or five feet high, on the two sides from which the tides enter, which could be done at trifling expense, but the land would then be too low, and perhaps wet, to build upon. It would require considerable filling up with sand or other material, to make it available for the erection of public buildings. I cannot give any opinion as to the probable cost of such an undertaking. This property is owned, or rather claimed, by the corporate authorities of Brunswick, but it will be many years before it will be occupied or made valuable for commercial purposes, if ever. Upon the subject of the purchase of a site on Blythe Island, I feel much delicacy in giving an opinion, or presenting advice to the department. The people of Brunswick are a portion of my constituents; they are a spirited, clever, and worthy people, having a just pride in their beautiful location and growing prospects for a large commercial city. They have many serious obstacles to contend against, and are struggling hard to overcome them. They look to the establishment of a naval depot as an important means of inspiring public confidence in their town and harbor, as well as producing a direct impulse to the growth of the city. I feel the force of all these considerations, and a strong interest in the prosperity of Brunswick, and I trust, a commendable State pride, which would be pleased and flattered by the existence of so important a public work within its borders. Nevertheless, called upon by you to advise the department, I feel bound to look at the whole subject, as far I am able to do so, from a stand point somewhat more elevated than the one occupied by my friends in Brunswick. To advise the government to give for this property at least five times, perhaps ten times

as much as either its intrinsic or relative and fictitious value, is what I cannot conscientiously do. I admit that the government ought to pay a liberal price for it, and in view of the facts that the law fixes Blythe Island as *the place*, restricting the department to the choice of location, and that the site selected takes in the most important and valuable portion of the island, rendering the balance of it of comparative little value to the proprietors, I am prepared to advise the government to submit to a much larger price, than under other circumstances ought to be given for the property. I consider the price demanded by the proprietors, to say the least of it, extravagant; and I do not hesitate to say that the department ought not to give it, but rather hold the whole subject up, and present it to Congress for instruction and action. It would probably lead to a modification of the law, so as to authorize the government to select some other point, which, upon a more critical examination, might be found to answer every purpose, and be purchased at a much less price than the one demanded by the owners of Blythe Island. Apart from the *very high* value set upon the property by these owners, and what I consider an unjust demand, the application of so large a portion of the appropriation to the purchase of the site alone, would, in my opinion, endanger the prospect of future appropriations, and jeopardize the whole enterprise. I cannot, therefore, advise the government to give more than one hundred dollars per acre for the eleven hundred acres surveyed and recommended by the commissioners. It is itself a very large price for the property, and could only be justified by the difficulties and embarrassments, with which the subject is surrounded. I am not willing to advise the giving of such sum, as I could not with confidence and propriety defend upon the floor of the Senate, and before the public; and when I put down the price at the sum stated above, I have gone to the utmost limit that my judgment approves, or that I would be willing to defend.

I am, very respectfully,

ALFRED IVERSON.

Hon. I. TOUCEY,
Secretary of the Navy.

No. 29.

EXECUTIVE CHAMBER, MILLEDGEVILLE, GEORGIA,
June 8, 1857.

SIR: The establishment of a naval depot at Brunswick, Georgia, is a matter in which the people of this State feel a deep interest. As evidence of this fact, our legislature, at its two last successive sessions, adopted unanimously resolutions of instruction to our delegation in both branches of Congress to urge an appropriation for that object. Accordingly, the last Congress did appropriate the sum of \$200,000, commissioners have been appointed to select, and have selected Blythe Island as the location for the depot. I regret to learn that the Secre-

tary of the Navy is embarrassed and hesitates to make the purchase of the point indicated in the report on account of the price asked by the proprietors of the island. In my judgment he ought not to hesitate. I have seen the several propositions submitted by the proprietors of the island, and without professing to be very well informed as to the value of real estate in the vicinity, I have no doubt but the prices indicated in the several propositions submitted to the Navy Department are fair and reasonable. I am sustained in this opinion by the unbroken testimony of the citizens of Brunswick and the surrounding country, and by a personal knowledge of the selling prices of lots in the city. I know but little or nothing of naval affairs; but as far as I can reason on the subject, I do not think there is so eligible and desirable a point on the Atlantic coast, south of Portsmouth, nor can there be a more favorable point for strong military defense, of which the southern coast, and especially that of Georgia, stands in such need. Will you, therefore, pardon me for the deep interest which I feel upon this subject; the interest only of a Georgian, for I do not own a cent of property in Brunswick or its vicinity, and excuse me if I express myself strongly? Even admitting the price to be a little high, is it best to defeat the law for that reason and throw the subject into the next Congress, where possibly the whole enterprise will be defeated by those who have made themselves so industrious to that end? The South rarely asks anything from Congress. Georgia has asked and received less, perhaps, than any other southern State; and when she asks it is either refused or grudgingly granted. When an act of justice, and one in full accord with the welfare of the republic, is thus passed, shall it be defeated for trifling considerations? But I find I am arguing, pardon me if it should seem unbecoming. I will repeat, however, that in a matter of so much importance to this State, and particularly to her southeastern portion, our people will be keenly disappointed if a hesitation on a few thousand dollars shall operate its defeat. I respectfully ask you to give such direction to the subject as will secure the execution of the law of the last Congress without the necessity of hazarding the measure before the next.

I have the honor to be, your obedient servant,

HERSCHEL V. JOHNSON.

His Excellency JAMES BUCHANAN,
Washington, D. C.

No. 30.

WASHINGTON, *June 20, 1857.*

SIR: On the 4th of May a communication was addressed to me from the Navy Department in regard to the purchase of a site for a naval depot on Blythe Island, stating several propositions which had been made by the proprietors of the island. Not being personally acquainted with the value of the property proposed to be sold, I had,

necessarily, to rely upon the information of others, who reside at Brunswick, near where Blythe Island is situated, to ascertain, as far as possible, the worth of the land which the government had designated as proper to be occupied as a naval station. That information has been submitted to the department in the separate statements of public officers and citizens of high character, and upon which my opinion alone must be based.

The opinions of gentlemen of the character of those to whom I have reference, I should rely on in a matter of private business, and would give great weight and respect to their judgments. I confess that the price of property in and about Brunswick had attained an appreciation beyond my expectations. The present value of property in that locality has very much increased in the last four months, to say nothing of its prospective value. I was at Brunswick on the 14th, 15th, and 16th of May last, and witnessed the sale of lots, which commanded very high prices. Persons who owned real estate in the vicinity placed high estimates upon it; indeed, a greater value than I thought it ought to be intrinsically worth.

The high price of property is attributable to the fact that a railroad is in progress of construction connecting the interior with Brunswick, and the fact of its position in a commercial point of view, and the improvements that are being made. I am frank to say that prices have gone up beyond my expectations; and, uncontrolled by the circumstances above alluded to, and the opinions of others submitted, I should have been inclined to hesitate more about the price fixed by the proprietors for Blythe Island. As it is, I think the price a full one; but which may be justified, because of the value given to real estate from the causes above referred to. My opinion is that the proposition to sell the 1,100 acres contained in one of the propositions is the most reasonable, and it might be purchased at the price designated without injustice to the government. As I said before, this opinion is based upon the information communicated to the department, with what I learned from an interchange of opinions with persons living at and near Brunswick. Conceding then that the price is high, it is regulated by the value which the public has fixed upon property generally in the same locality. The establishment of a naval depot at Brunswick is looked upon with much interest by the citizens of Georgia, and they would keenly feel the disappointment growing out of a defeat of this measure. I have no personal interest in this matter, only as a citizen of the State, and am anxious to gratify the wishes of my constituents in having the difficulties adjusted that have stood in the way. I would have been glad that the purchase could have been made at a less price than that asked, so as to have a larger amount of the appropriation expended in putting up buildings, &c.; yet, I think the price is not sufficiently high to justify the defeat of the measure, or reaches beyond a point which would not be defensible, resting the general estimate of property near to and in the vicinity of the proposed naval depot, and the importance of the measure to the government. The proposition in regard to the 80 acres and 600 acres, I consider somewhat extravagant, if not very high; but the proposition for 1,100

acres, from the best information I can get, may be allowed with tolerable fairness to the government and the proprietors.

Very respectfully,

JAMES L. SEWARD.

Hon. ISAAC TOUCEY,
Secretary of the Navy.

No. 31.

WASHINGTON, June 20, 1857.

DEAR SIR: I have had an interview with Mr. Amos Davis, one of the largest proprietors of Blythe Island, and, after much persuasion, he has reluctantly consented to sell the 1,100 acres of land, designated as a site for a naval depot, for \$130,000, and will call and see you on Monday morning.

He would prefer, if it were consistent with your views of propriety, to make a provisional trade for the balance of this land.

Yours, respectfully,

JAMES L. SEWARD.

Hon. ISAAC TOUCEY.

No. 32.

JUNE 26, 1857.

Whereas the United States, acting by Hon. Isaac Toucey, Secretary of the Navy, have proposed to the proprietors of Blythe Island, in the State of Georgia, to pay one hundred and thirty thousand dollars for the conveyance of a good and sufficient title to about eleven hundred acres on the south end of said island, described in the report of Captain McIntosh and others, commissioners appointed in February last to locate a site for a navy-yard on said island, the money to be paid as soon as the legislature of Georgia shall cede to the United States jurisdiction of the premises herein described, I, Amos Davis, acting for myself and the other proprietors of Blythe Island, hereby accept the above proposition, and hereby request W. W. Corcoran, Esq., who holds a power of attorney to convey the premises, to execute a deed thereof to the United States as soon as the proper officers of the United States shall determine that the title is good and sufficient, and to deliver the said deed when payment therefor is made as above proposed.

AMOS DAVIS,

For himself and other owners.

Witness: CHARLES W. WELSH,
Chief Clerk Navy Department.

JUNE 26, 1857.

The above proposition was made to the proprietors of Blythe Island, and the terms as stated above by Amos Davis, for himself and the other proprietors, are accepted.

I. TOUCEY,
Secretary of the Navy.

Witness: CHARLES W. WELSH,
Chief Clerk Navy Department.

No. 33.

COLUMBUS, GEORGIA, *July 6, 1857.*

DEAR SIR: After an absence of a month on a visit to the west, I returned home yesterday. Before I left Columbus, a month or more ago, I addressed you a communication, giving the result of my visit to Brunswick and my examinations and views in relation to the site for a naval depot on Blythe Island, and its proposed purchase, &c. In that letter I stated my expenses on that trip were \$45, and requested you to remit the amount to me by draft, on New York, since which I have not heard from the department, and suppose it possible that my letter miscarried. Will you do me the favor to say whether it was received or not, and, if received, what difficulty stood in the way of reimbursing to me the expenses of my visit to Brunswick.

I am, very respectfully, your obedient servant,

ALFRED IVERSON.

Hon. ISAAC TOUCEY,
Secretary of the Navy.

No. 34.

NAVY DEPARTMENT, *July 10, 1857.*

SIR: I have the honor to acknowledge the receipt of yours of the 6th instant, and also yours of the 28th May last, not heretofore acknowledged. I beg to express my regret that the bill for expenses was overlooked at the time, and that you were put to the trouble of calling the attention of the department specially to it. I inclose herewith, in duplicate, an approved bill for the amount payable by the navy agent at Charleston, B. D. Heriot, Esq., who will pay it on presentation, or send the amount to you upon the transmission of the bills to him with your receipt.

This is the usual and only mode of paying such claims against the department.

Very respectfully, yours, &c.,

ISAAC TOUCEY.

Hon. ALFRED IVERSON,
Columbus, Georgia.

No. 35.

WASHINGTON, October 5, 1857.

SIR: The owner of "Blythe Island" desire Mr. Corcoran, to receive from the United States, on their behalf, the money to be paid under a late act of Congress for the purchase of a portion of it for government purposes.

To effect that object they have given him sundry powers of attorney that are insufficient under existing acts of Congress; and to give a sufficient power would render it necessary it is thought, to wait the issue of the warrant before the power is executed. This would cause much delay, and probably difficulty, and it is greatly desired that such difficulty might be avoided by the immediate conveyance of the property to an intermediate party.

The suggestion of Mr. Davis, in his letter of the 1st instant, herewith inclosed, would not answer the purpose, because the wives' dower could not be barred by a power of attorney, and the only way that appears to be feasible is to convey the property at once to Mr. Corcoran, and he to convey to the United States when the money is paid.

Should such a deed be made, vesting the fee simple in Mr. Corcoran, and the title thus vested be approved by the Attorney General, Mr. Corcoran desires to know whether a deed from him conveying all the title thus acquired would be satisfactory to the department, without a covenant of *general* warranty, but with a *special* warranty against his own acts and heirs alone.

Having no interest in the property, he does not wish to assume the responsibility that a general warranty would place on him.

Requesting an answer, and a return of Mr. Davis's letter at your earliest convenience,

I have the honor to be, &c.,

ANTHONY HYDE, *Agent*.

Hon. ISAAC TOUCEY,
Secretary of the Navy.

No. 36.

NAVY DEPARTMENT, October 7, 1857.

SIR: In reply to the inquiry contained in Mr. Hyde's communication of the 5th instant, in relation to the conveyance of the title of "Blythe Island," I have to state, that a conveyance by you without a general warranty, will not be sufficient.

I am, respectfully, your obedient servant,

ISAAC TOUCEY.

WM. W. CORCORAN,
Washington, D. C.

No. 37.

NAVY DEPARTMENT, *October 23, 1857.*

SIR: The accompanying papers are respectfully referred to you, for your written opinion as to the validity of the title exhibited by them to the property known as "Blythe Island," in the State of Georgia, which it is proposed to convey to the government.

I have the honor to be, very respectfully, your obedient servant,
ISAAC TOUCEY.

Hon. J. S. BLACK,
Attorney General.

No. 38.

Blythe Island Case.

My attention has been directed to "things that need be looked to," by the paper returned with this:

1. The acknowledgment of the power of attorney by Bloom, has been obtained and duly recorded. It is herewith transmitted with the other papers.

2. The powers of the trustees of the Franklin Academy, are the fullest with which a legislature is wont to invest a corporation. I consider the power to convey under the charter, a copy of which will be found accompanying the abstract, is given. But Parland and his assigns have been in undisputed possession for forty years. Seven years possession under color of title, will give complete title under the statutes of Georgia.

3. The administrators of Parland, could convey only by complying with the requisitions of the statute made and provided in such cases. A copy of this statute is set forth, accompanying the abstract. Search was made among the records of the court of ordinary, of Glynn county, for evidence that the statute had been obeyed, but unsuccessfully. However, the only parties that are not barred by the statute of limitations, and whom this statute was designed to protect, are the heirs of Parland, who have executed a quit-claim deed to the deedors of the United States. This deed accompanies these papers, is duly recorded, and set forth in the abstract.

4. A copy of the trust-deed of the Brunswick Land Company, lies before me, and will accompany the other papers. It will be seen under the head of "Trustees," Article 18, of "The General Provisions," that the trustees are to execute "necessary deeds and instruments in relation to the same, as shall be ordered from time to time by the board of directors." A copy of an extract from the minutes of the Brunswick Land Company, accompanies the papers authorizing the trustees to convey to Brooks and Davis, which bears the appearance of authenticity. The death of the trustee, who did not join in the conveyance, to wit, Simon Greenleaf, as well as his resignation as trustee, prior to

his death, is authenticated by the deposition of Charles W. Cartwright, which is annexed to the abstract.

5. Annexed to the abstract, are certificates that there are no liens, and so forth, on Blythe Island, or upon the persons of the deedors of the United States.

In my opinion, the deed vests valid legal title in the United States. The only difficulty in the way, as appeared to me from the first, was the defective conveyance by the administrators of Parland. But this has been remedied by the quit-claim deed of Parland's heirs.

It is proper for me to observe, that Mr. Davis informs me that his deed to George W. Hodges, conveying one thirty-second undivided part of Blythe Island, is at present in the hands of the Attorney General. I have not seen the original nor a copy. It has been placed in my abstract, as Hodges is one of the deedors to the United States. All of which is respectfully submitted.

JOS. GARRAHL,

United States Attorney, District of Georgia.

Hon. ISAAC TOUCEY,

Secretary of the Navy.

BLYTHE ISLAND CASE.

Things that need be looked to.

1. An acknowledgment of the power of attorney by Bloom.
2. The power of the trustees or officers of the academy to sell and convey.
3. The authority of the administrators of Parland to convey, whether by statute, decree of a court, or otherwise.
4. The trust, conveyance, and powers of the Blythe Island Company to convey, and that one or more of the trustees who did not sign are dead. This can be shown by affidavit.
5. Evidence that there are no liens by way of mortgage, judgment, tax, or assessment by any of the grantors.
6. Whether the common law is changed, a copy of the statute, and where it is to be found, should be furnished.
7. Decisions of courts bearing upon any of the questions should be referred to by title, volume, and page.
8. The deed and papers attached should be left with the proper officer for record, and a certified copy thereof furnished the district attorney, and come up with the papers.
9. The district attorney should examine all the facts, so as to report that they are true, and note and point out in his abstract any defects he may discover in any form and acknowledgment, or otherwise.
10. He should sign his statement, which should go to the Secretary of the Navy with the other papers.
11. When all the papers are complete the Attorney General will examine them carefully and form his opinion whether the deed vests *valid title* in the United States.

Abstract of title of the United States of America to the southern portion of Blythe Island, in Glynn county, State of Georgia, to wit:

“All that part of Blythe Island situated in Turtle river, opposite the city of Brunswick, county of Glynn, in the State of Georgia, which lies south of a line extending across said island, which was heretofore established by James McIntosh, H. J. Hartstene, and John M. Brooke, of the United States navy, and referred to in a report made by them to the Secretary of the Navy dated the 13th day of March, 1857; said portion containing in all about 1,100 acres more or less.”

Thomas Handly and Sarah Handly to John Parland: Deed dated January 12, 1815, conveys an undivided moiety of Blythe Island; recorded November 15, 1817, in book G, folio 306, of Glynn county records.

Frederick Beal and John E. Carson, members of the board of commissioners Franklin County Academy, to John Parland: Deed dated May 19, 1817, conveys an undivided moiety of Blythe Island to John Parland; recorded November 1, 1817, in book G, folio 307, &c., of Glynn county records.

The above are the earliest deeds to be found on the records of Glynn county conveying Blythe Island. John Parland, the grantee, went into and remained in undisputed possession of the property until his death in the summer of 1836. Prior to his decease, on the 19th of May, 1836, he entered into a written contract with one Abraham Colly, by which he agreed to sell Blythe Island to Colly for \$12,000, on the following terms: \$4,000 to be paid on the 1st of January, 1837, when Parland was to execute a deed of conveyance to Colly of the island and to take a mortgage on the same to secure the payment of the remaining \$8,000, one half of which was to be paid on the 1st of January, 1838, and the other half on the 1st of January, 1839. Colly afterwards, on the 21st of September, 1836, assigned his rights under contract to Cartwright, Greenleaf, and Gardiner, trustees of the Brunswick Land Company. Upon the death of Parland, letters of administration were issued to Mary Anne Parland, his widow, and Francis M. Scarlett, in November, 1836. The latter, in his capacity of administrator of Parland, renewed the contract of his intestate to sell Blythe Island, and received and receipted for \$4,000 from the Brunswick Land Company—being the payment of the first installment under the contract; and, in pursuance of the same, he and the administratrix executed a deed of conveyance of Blythe Island on the 14th of March, 1837, to the trustees of the Brunswick Land Company, and received at the same time a mortgage from the Brunswick Land Company to secure the payment of the remaining \$8,000. This money was duly paid and the mortgage satisfied.

Francis M. Scarlett and Mary Anne Parland, administrator and administratrix of John Parland, deceased, to Charles W. Cartwright, William H. Gardiner, and Simon Greenleaf, trustees of the Brunswick Land Company: Deed dated March 14, 1837, conveys all that tract or parcel of land called Blythe Island, in the waters of the Turtle river, opposite the city of Brunswick, Glynn county, State of Georgia; recorded March 18, 1837, in book H, folio 360.

The above deed is defective as a legal conveyance, the representatives of Parland not having performed the requisitions of the statute provided in such cases, (a copy of which is hereto annexed,) but is good color of title, and, together with the contract of Parland, rested in the grantees an equity for title. The legal title is made complete by the quit-claim deed last set forth in this abstract.

Charles W. Cartwright and William H. Gardiner, trustees of the Brunswick Land Company, to : Deed dated April 9, 1851, conveys all that tract of land called Blythe Island, in the waters of Turtle river, opposite Brunswick, in Glynn county.

Brunswick Land Company to Samuel R. Brooks and Amos Davis: Glynn county, Georgia; recorded January 12, 1854, in book L, page 88, &c.

Amos Davis to William Chauncey: Deed dated February 5, 1853, conveys all the undivided one sixteenth part of Blythe Island; recorded November 10, 1853, book L, page 182.

Samuel R. Brooks to D. Randolph Martin: Deed dated September 24, 1853, conveys all the undivided one eighth part of the undivided fifteen thirty-second parts of Blythe Island; recorded October 17, 1853, in book L, page 283, of Glynn county records.

Amos Davis to Thomas A. Dexter: Deed dated September 24, 1853, conveys all one undivided thirty-second part of Blythe Island; recorded November 12, 1853, in book L, page 291, in Glynn county records.

Amos Davis to Edmund Monroe: Deed dated September 24, 1853, conveys all of the undivided one eighth part of one undivided half part of Blythe Island; recorded November 12, 1853, in book L, page 292.

Samuel R. Brooks to Thomas A. Dexter: Deed dated September 24, 1853, conveys all the undivided one eighth part of the undivided fifteen thirty second-parts of Blythe Island; recorded November 12, 1853, in book L, page 295.

Samuel R. Brooks to Edward Monroe: Deed dated September 24, 1853, conveys all the undivided one eight part of the fifteen thirty-second parts of Blythe Island; recorded November 12, 1853, in book L, page 294.

The grantee in the above deed is Edmund Monroe. See deposition of Amos Davis annexed to this abstract.

Samuel R. Brooks to Thomas A. Dexter: Deed dated September 24, 1853, conveys all of one undivided thirty-second part of Blythe Island; recorded November 12, 1853, in book L, page 296.

Samuel R. Brooks to Charles Illins: Deed dated September 29, 1853, conveys all the undivided one eighth part of the undivided fifteen thirty-second parts of Blythe Island; recorded December 15, 1853, in book L, page 305.

Samuel R. Brooks to Charles Illins: Deed dated September 24, 1853, conveys all the undivided one eighth part of the fifteen thirty-second parts of Blythe Island; recorded December 15, 1853, in book L, page 307.

Samuel R. Brooks to Charles Day and Thurston R. Bloom: Deed dated September 27, 1853, conveys all the undivided one eighth part of the fifteen thirty-second parts of Blythe Island; recorded January 11, 1854, in book L, page 314.

Amos Davis to George W. Hodges: Deed dated February 23, 1856, conveys all undivided thirty-second part of Blythe Island; recorded October 28, 1856, in book M, pages 177 and 178.

Henry C. King and Jean Adams his wife, and Frances Ann Parland to Samuel R. Brooks, Amos Davis, William Chauncey, D. Randolph Martin, Charles Illins, and George W. Hodges, Edmund Monroe, Thomas A. Dexter, Charles Day, and Thurston R. Bloom, quit-claim deed, dated November 9, 1857, releases to grantees all that tract or parcel of land called Blythe Island, situate lying and being in the waters of Turtle river, opposite the town of Brunswick, Glynn county, State of Georgia; recorded November 12, 1857, in book M, folios 329, 351.

John Parland having as above set forth died intestate, left a widow and two infant daughters distributees of his estate. Upon the death of the former, the latter succeeded to the whole, one of the daughters Jean Adams has intermarried with Henry C. King, and the other Francis Ann remaining still single. Both having reached their majority within a period that the statute of limitations cannot bar their rights, they join in the foregoing quit-claim deed; thereby resting, complete, full, and legal title in the grantees to Blythe Island.

Amos Davis, Samuel R. Brooks, William Chauncey, D. Randolph Martin, Charles Illins, Charles Day, George W. Hodges, Thomas D. Dexter, Edmund Monroe, Thurston R. Bloom, John A. Nelson, William M. Clark, E. S. Monroe and Victor De Launay, to the United States of America: Warranty deed, dated October 26, 1857; recorded November 6, 1857; in the clerk's office of the superior court of Glynn county, in liber M, folios 317 and 347, inclusive, conveys all that part of Blythe Island, situate in Turtle river, opposite the city of Brunswick, county of Glynn, State of Georgia, which lies south of a line extending across said Island, which was heretofore established by James McIntosh, H. J. Harstene, and John M. Brooke, of the United States navy, and referred to in a report made by them to the Secretary of the Navy, dated the 13th day of

March, 1857, and which is particularly shown in a tracing sketch annexed to the deed. Consideration, \$130,000.

"All that tract or parcel of land, called Blythe Island, situate, lying, and being in the waters of Turtle river, and opposite to the town of Brunswick, in said county of Glynn, and State of Georgia, containing four thousand two hundred and five acres, be the same more or less."

The clerk of Glynn county, will please search in his office for judgments against and mortgages and other incumbrances upon the above-described premises, or any part thereof, against the following named persons respectively, from the 14th day of March, 1837, down the date of his search: Samuel R. Brooks, Amos Davis, William Chauncey, D. Randolph Martin, Thomas A. Dexter, Edmond Monroe, Charles Illins, Charles Day, Thurston R. Bloom, George W. Hodges.

BURTON H. DAVIS,

For owners of Blythe Island.

STATE OF GEORGIA, *Glynn County,*
Clerk's Office, Superior Court:

AMOS DAVIS	}	Mortgage on the "five undivided thirty-second parts ($\frac{5}{32}$) of Blythe Island," to secure the payment of a bond, bearing even date with said mortgage, conditioned for the payment of the sum of four thousand dollars, in one year from the date thereof, with interest thereon, at the rate of 7 per cent. per annum.
CHARLES T. CROMWELL.		

The above, is the only mortgage or incumbrance that I find upon the records of this office, against the above-described premises, or any of the parties claiming the same.

GEORGE J. ARNOW, *Clerk.*

GEORGIA, *Bibb County:*

I, Albert B. Ross, clerk of the superior court of said county, hereby certify that there are no judgments, mortgages, liens, or decrees, against Charles Day or Thurston R. Bloom, in said superior court, unsatisfied, as appears from the records of said office.

Given under my hand and seal of office, this 7th day of November, 1857.

A. B. ROSS, *Clerk.*

To JOSEPH GARRAHL, Esq.,
United States District Attorney, Savannah, Georgia.

GEORGIA, *Bibb County:*

I certify, that Albert B. Ross, the person signing the above certificate, is, and was at the time of signing the same, clerk of the superior court of said county, and that his official acts as such, are entitled to full faith and credit.

Given under my hand and official signature, this 7th day of November, 1857.

ABNER P. POWERS,

Judge Macon district, in which district is the county of Bibb.

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STATE OF GEORGIA, *Chatham County*, ss:

Amos Davis, of the city of New York, being duly sworn, deposes and says: That he is one of the owners of Blythe Island, in the State of Georgia; that Samuel R. Brooks, Edmund Monroe, William Chauncey, D. Randolph Martin, Charles Illins, Charles Day, George W. Hodges, Thomas A. Dexter, Thurston R. Bloom, are the only other persons owning or having any interest in said island.

That there is no person named Edward Monroe possessed of any interest in said island; and the name Edward Monroe appearing in the abstract of title to which this paper is annexed is a clerical error of the clerk or person who recorded the deed to said Edmund Monroe in the office of the clerk of the county of Glynn; the true name of the grantee in said deed being Edmund Munroe.

Subscribed and sworn this day of November, 1857, before me.
JOS. GARRAHL, [L. s.]
Notary Public C. C.

Affidavit.

I, Charles W. Cartwright, of the city of Boston and Commonwealth of Massachusetts, president of the Manufacturer's Fire and Marine Insurance Company in said Boston, being duly cautioned, examined and sworn, do declare and say: That the late Hon. Simon Greenleaf, William H. Gardiner, Esq., and this affiant, were for many years co-trustees of the proprietors of the city of Brunswick, in the State of Georgia; that the said Simon Greenleaf is deceased; that previous to his decease he resigned his trust in the said proprietary to the said William H. Gardiner and this affiant; that no successor to the said Greenleaf was appointed or elected; and the entire management of the trust vested and remained in the said Gardiner and this affiant until the year 1851, and until a sale and transfer of the whole real estate of the proprietary was made to Samuel R. Brooks and Amos Davis, both of the city of New York, to whom a deed of conveyance of the same was duly executed by the said William H. Gardiner and this affiant, in their capacity as sole remaining trustees as aforesaid. Dated at Boston this 15th day of September, A. D. 1857.

CHARLES W. CARTWRIGHT.

COMMONWEALTH OF MASSACHUSETTS, } ss:
Suffolk County, City of Boston, }

Be it known, that on the day of the date hereof, before me, Charles B. F. Adams, a commissioner duly appointed by the authorities of the State of Georgia, within and for the Commonwealth of Massachusetts, resident in said Boston, and duly qualified to administer oaths to be used in said State of Georgia, appeared Charles W. Cartwright, Esq., who is personally well known to me, and did in my presence, subscribe the within affidavit, and made oath according to law, that all the declarations therein contained, and by him described are true

In testimony whereof, I have hereunto set my hand and affixed my seal of office, at said Boston, this fifteenth day of September, in the year of our Lord, one thousand eight hundred and fifty-seven.

CHARLES B. F. ADAMS,
Commissioner for the State of Georgia.

AN ACT to establish and fix the name of the Academy at Carnesville, in the county of Franklin, and to incorporate the trustees thereof.

Be it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and it is hereby enacted by the authority of the same, That from and immediately after the passage of this act, the Academy at Carnesville, in the county of Franklin, shall be called and known by the name of the Franklin County Academy, and that John Alexander, James Mitchell, John Stubbs, Matthew B. Hooper, and Henry Freeman, and their successors in office, be, and they are hereby declared to be, a body politic and corporate, by the name and the style of "The Trustees of the Franklin County Academy," and as such body politic and corporate, shall be capable of doing all acts which may be necessary for the complete execution of the trust confided to them; that they shall be invested with all manner of property, both real and personal, which shall be acquired by gift, purchase, or otherwise, for the use and benefit of the said academy; shall be capable of suing and being sued; of having and using a common seal; of appointing a secretary and treasurer; and they the said trustees, and their successors in office, or a majority of them, shall have the privilege of making their own by-laws—provided, they are not repugnant to the laws or constitution of this State, or of the United States—and of filling all vacancies in their own board, which may be occasioned by death, resignation, or otherwise: *Provided*, That nothing in this act contained, shall operate to impair or destroy in anywise the superintendence and control, given by law to the *Senatus Academicus* of this State, over public schools instituted or supported by public moneys or funds of the same.

JOHN ABERCROMBIE,
Speaker of the House of Representatives.
ALLEN B. POWELL,
President of the Senate.

Assented to: December 24, 1824.

AN ACT to authorize and empower Executors and Administrators to make titles to land in certain cases. [Approved February 15, 1799, Vol. 1, 218; New Digest Laws of Georgia, Vol. 1, page 310.]

SEC. 1. When it shall clearly and indisputably appear that any person or persons hath or have entered into any bond, obligation, or other agreement in writing, whereby they were bound to make titles to any lands, tenements, or hereditaments, and shall die without having performed the same, or making provision therefor by will, the person or

persons to whom such bond, obligation, or other agreement in writing as aforesaid was given, shall petition the court of ordinary of the county in which the executors or administrators reside, and annex a copy of such bond, obligation, or other agreement thereto, praying the court to direct the executors of such testator or administrator of such intestate, to make titles for the lands, tenements, or hereditaments, expressed in the said bond, obligation, or other agreement; whereupon the said court shall give at least three months' notice in one of the public gazettes and in the public places of the county of such application; and that the executors or administrators will be directed at the court to be held at the next term to make titles agreeably to such bond, obligation, or agreement; and if no objection shall be made thereto during the said next term it shall and may be lawful for the said executors of such testator, or the administrators of such intestate on application made to him or them for that purpose, and upon its being made known to his, her, or their satisfaction, that the contract hath been carried fairly into effect on the part of the person or persons to whom such bond, obligation, or other agreement in writing was made, or their legal representatives, and amount of the purchase money, or the consideration for which the said contract was entered into shall be fully paid or performed with the concurrence of the court of ordinary of the county in which the intestate died or resided at the time of his or her decease,* to make and execute titles in fee simple for such lands or tenements, and fully and completely perform the contract and agreement of the deceased, as perfectly and effectually to all intents and purposes as the party having made the said contract might or could have done when in life, any law to the contrary notwithstanding: *Provided always, nevertheless, and be it further enacted*, That if any of the heirs or legal representatives of the deceased shall oppose or dissent to the making of such titles by the executor or administrator, such executor or administrator shall withhold and forbear to make such title or titles until a suit shall be instituted against him or them, and a verdict of a jury or judgment of the court shall pass against him for that purpose.

SEC. 2. It shall be the duty of such executor or executors, administrator or administrators, in all cases where titles to lands are made in virtue of this act, to make a fair statement thereof, describing the boundaries and situation of the land and return the same, together with the bond, obligation or other agreement in writing, which may

* NOTE. This latter provision repealed by act of 1850, (Cobb's New Digest, page 340,) as follows:

SEC. 1. *Be enacted*, That in all cases contemplated by the act entitled "An act to authorize and empower executors and administrators to make titles to land in certain cases, approved on the 15th day of February, in the year 1799," be so far changed as in no instance to require more than the judgment of the court of ordinary of the county where the executor or administrator may reside at the time of the commencement of the suit to authorize or empower him to make title, and that it shall not be necessary to obtain the concurrence of the court of ordinary in addition thereto of the county where the deceased resided at the time of his death, as contemplated by the aforesaid act, to authorize or empower the executor or administrator to make such title; and that all laws or parts of laws militating against this act, be, and the same are hereby, repealed.

have been taken up upon making such titles to the court of ordinary, to be filed in the clerk's office of that court, subject to the inspection of all persons interested.

No. 40.

STATE OF GEORGIA, *Bibb County*:

Whereas, I, Thurston R. Bloom, of Macon, in the county of Bibb, and State of Georgia, did, on the 11th day of December, 1856, execute in writing, under my hand and seal, and deliver to William W. Corcoran, of the city of Washington, in the District of Columbia, a certain power in and by which I constituted, ordained, and made, and, in my place and stead, put said William W. Corcoran, to be my true, sufficient, and lawful attorney, for me, and in my name and stead, and to my use, and on my behalf, to contract and agree for the sale, and to sell and dispose of to the government of the United States, for such a price as I might thereafter agree upon, the whole, or any part of my right, title, interest, and property, in and unto the estate known as Blythe Island, situated in Turtle river, in the harbor of Brunswick, county of Glynn, and State of Georgia; and on the receipt of the agreed purchase money thereof, for me, and in my name to sign, seal, execute, and, as my voluntary act and deed, to deliver unto the government of the United States such deed or deeds of conveyance of the whole or any part of my interest in said Blythe Island, with covenants of warranty of title, as may be reasonably required, giving and granting unto said William W. Corcoran full power and authority in and about the premises, and to use all due means, course, and process in the law, for the full, effectual, and complete execution of the business aforescribed, and in my name to make and execute due acquittance and discharge, and for the premises to appear, and my person to represent, before any governor, judges, justices, officers and ministers of the law, whatsoever, in any court or courts of judicature, and there, on my behalf, to answer, defend, and reply unto all actions, causes, matters, and things, whatsoever, relating to the premises; also to submit any matter in dispute respecting the premises to arbitration or otherwise, with full power to make and substitute for the purposes aforesaid one or more attorneys under him, said William W. Corcoran, and the same again at pleasure to revoke; and generally to say, do, act, transact, determine, accomplish, and finish all matters and things whatsoever relating to the premises, as fully, amply, and effectually to all intents and purposes as I, the said Thurston R. Bloom, if present, ought or might personally, although the matter should require more special authority than is herein comprised; I, said Bloom, ratifying, allowing, and holding firm and valid all that might be done in and about the premises by virtue of said power.

And, whereas, said William W. Corcoran, under, in pursuance and by virtue of said power, did, on the 26th day of October, 1857, execute a deed of conveyance to the United States of America granting, bargaining, selling, remitting, releasing, and conveying to said United

States of America and their assigns, all my interest in all that part of Blythe Island situated in Turtle river, opposite the city of Brunswick, county of Glynn, in the State of Georgia, which lies south of a line extending across said island, which was heretofore established by James McIntosh, H. J. Hartstene, and John M. Brooke, of the United States navy, and referred to in a report made by them to the Secretary of the Navy dated the 13th of March, 1857, and which is particularly shown in a tracing sketch to said deed of conveyance annexed, containing in all about 1,100 acres, be the same more or less.

And, whereas, my signature to said power, executed by me to said Corcoran, as hereinbefore set forth, was not properly attested and duly proved.

Now, therefore, know all men by these presents: That I, Thurston R. Bloom, do fully ratify and confirm the sale and conveyance of all my right, title, and interest of, in, and to the premises above described, so as aforesaid made and executed to the said United States of America, by my said attorney, William W. Corcoran.

In witness whereof, I have hereunto placed my hand and affixed my seal this 3d day of November, 1857.

THURSTON R. BLOOM. [L. s.]

Signed, sealed, and acknowledged, in presence of us—

ROBERT FLEMING.

E. A. NESBET.

GEORGE S. OBEAR,
Notary Public.

STATE OF GEORGIA, *Glynn County,*
Clerk's Office, Superior Court:

Recorded in record book M, folios 327-329, inclusive.

GEORGE J. ARNOW, *Clerk.*

NOVEMBER 6, 1857.

No. 41.

THIS INDENTURE, made the ninth day of November, in the year one thousand eight hundred and fifty-seven, between Henry C. King, of Wayne county, State of Georgia, and Jean Adams, his wife, and Frances Ann Parland, of the county of Glynn, State aforesaid, parties of the first part, and Samuel R. Brooks, Amos Davis, William Chauncey, D. Randolph Martin, Charles Illins, and George W. Hodges, of the city of New York, Edmund Monroe and Thomas A. Dexter, of the city of Boston, State of Massachusetts, and Charles Day and Thurston R. Bloom, of Macon, in the State of Georgia, parties of the second part, witnesseth:

That the said parties of the first part, for and in consideration of the sum of five dollars, to them in hand paid, the receipt whereof is hereby acknowledged, have granted, bargained, sold, conveyed, con-

firmed, released, and forever quit-claimed, and do by these presents grant, bargain, sell, convey, confirm, release, and forever quit-claim, both at law and in equity, unto the said parties of the second part, their heirs, executors, administrators, and assigns, all that certain tract of land, situate, lying, and being, in the county of Glynn, and State of Georgia, and described in a certain memorandum of agreement for future conveyance, made and entered into the 19th day of May, 1836, between John Parland, of the first part, and Abraham Colly, of the second part, (which said memorandum of agreement is on record in the clerk's office of the superior court of Glynn county, in book N, folio 442,) in the following words, to wit: "All that tract or parcel of land, called Blythe Island, situate, lying, and being, in the waters of the Turtle river, and opposite the town of Brunswick." To have and to hold said bargained premises, to them the said parties of the second part, to their own proper use and behoof, their heirs, executors, administrators, and assigns, in fee simple forever, free from any trust or liability in equity, in the behalf of us or either of us.

In witness whereof, the said parties of the first part have hereunto set their hands and seals, the day and year first above written.

JEAN ADAMS KING.

FRANCES ANN PARLAND.

HENRY C. KING.

Signed, sealed, and delivered, in presence of us—

FRANCIS D. SCARLETT.

JOSHUA GRIFFITH, *J. P.*

STATE OF GEORGIA, *Glynn County*:

Personally came before me, this 9th day of November, 1857, Jean Adams King, known to me to be the wife of Henry C. King, mentioned in the foregoing instrument, who being by me examined apart from her said husband, makes the following declaration: I, Jean Adams King, wife of Henry C. King, do declare, that I, freely and without any compulsion, signed, sealed, and delivered the above instrument of writing, passed between the said Henry C. King and myself, his wife, and Frances Ann Parland, of the first part, and Samuel R. Brooks, Amos Davis, William Chauncey, D. Randolph Martin, Charles Illins, and George W. Hodges, Edmund Monroe, Thomas A. Dexter, Charles Day, and Thurston R. Bloom, parties of the second part; and I do hereby renounce all title or claim of dower, that I might claim or be entitled to after the death of Henry C. King, my said husband, to or out of the land and tenements therein conveyed.

JEAN ADAMS KING.

In witness whereof, I have hereunto set my hand and seal, the day and year first above written.

JOSHUA GRIFFITH, *J. P.*

GEORGIA, *Glynn county*:

Personally appeared before me, Joshua Griffith, a justice of the peace in and for said county, Francis M. Scarlett, who being duly sworn, deposeth and saith, that Francis Ann Parland and Jean Adams King, who executed the within deed of quit-claim, are the sole surviving heirs of John Parland, of said county, deceased, that they both have attained their majority, and that he himself was one of the administrators of the estate of said John Parland, and that Henry C. King, is the husband of the said Jean Adams King.

FRANCIS M. SCARLETT.

Signed and sworn to before me, this 9th day of November, A. D. 1857.

JOSHUA GRIFFITH, *J. P.*

GEORGIA, *Glynn county*:

Clerk's Office, Superior Court.

Recorded in record book M, folios 329, 331, this 12th day of November, 1857.

GEORGE J. ARNOW, *Clerk.*

No. 42.

THIS INDENTURE, made this twenty-sixth day of October, in the year of our Lord one thousand eight hundred and fifty-seven, between Amos Davis, Samuel R. Brooks, William Chauncey, D. Randolph Martin, Charles Illins, Charles Day, and George W. Hodges, of the city of New York, Thomas A. Dexter, and Edmund Monroe, of Boston, in the State of Massachusetts, and Thurston R. Bloom, of Macon, in the State of Georgia, of the first part, and John A. Iselin, William M. Clark, E. S. Monroe, and Victor De Launay, of the city of New York, of the second part, by William W. Corcoran, of the city of Washington, in the District of Columbia, their duly authorized attorney, as appears by their powers to him for that purpose given, and which are hereunto annexed, and the United States of America of the third part, witnesseth:

The said parties of the first and second parts for and in consideration of the sum of one hundred and thirty thousand dollars, to them in hand paid by the said parties of the third part, through their said attorney, the receipt whereof is hereby confessed and acknowledged, have granted, bargained, sold, remised, released, and conveyed, and by these presents do grant, bargain, sell, remise, release, and convey unto the United States and their assigns, the following described premises, to-wit:

All that part of Blythe Island, situated in Turtle river, opposite the city of Brunswick, county of Glynn, in the State of Georgia, which lies south of a line extending across said island, which was heretofore established by James McIntosh, H. J. Hartstene, and John M. Brooke, of the United States navy, and referred to in a report made by them

to the Secretary of the Navy, dated the 13th day of March, 1857, and which is particularly shown in the annexed tracing sketch of the premises hereby intended to be conveyed, containing in all about eleven hundred acres, be the same more or less.

To have and to hold the above described premises together with all and singular the appurtenances and hereditaments thereupon belonging, or in any wise appertaining, to the United States and their assigns forever.

And the said parties of the first part, for their heirs, executors, and administrators, in consideration of the premises, do hereby severally covenant, grant, and agree to and with the said parties of the third part and their assigns, that the said parties of the first parts at the time of the sealing and delivery of these presents are lawfully seized, of a good and absolute and indefeasible estate of inheritance in fee simple of all and singular the above granted, bargained, and described premises with the appurtenances, and have good right, full power, and lawful authority to grant, bargain, sell, and convey the same in manner and form aforesaid.

And that the said parties of the third part and their assigns shall and may at all times hereafter, peaceably and quietly have, hold, use, occupy, possess, and enjoy the above granted premises, and every part and parcel thereof with the appurtenances, without let, suit, trouble, molestation, eviction, or disturbance of the said parties of the first and second part, their heirs, or assigns, or any other person or persons lawfully claiming or to claim the same.

And that the same are now free, clear, discharged, and unincumbered of and from all other grants, titles, charges, estates, judgments, taxes, assessments, and incumbrances of what nature or kind soever.

And also, that the said parties of the first part, and their heirs, and all and every other person or persons whomsoever, lawfully or equitably deriving any estate, right, title, or interest of, in, or to the hereinbefore granted premises, by, from, under, or in trust for them, or either them, shall and will at any time or times hereafter upon the reasonable request, and at the proper costs and charges of the said party of the third part or their assigns, make, do, and execute, or cause to procure to be made, done, and executed, all and every such further and other lawful and reasonable acts, conveyances, and assurances in law, for the better and more effectually vesting and confirming the premises, hereby intended to be granted in and to the said parties of the third part, and their assigns forever, as by the said party of the third part, and their assigns, or their counsel learned in the law, shall be reasonably devised, advised, or required.

And the said parties of the first part, their heirs, the above granted and released premises, and every part and parcel thereof, with the appurtenances, unto the said parties of the third part and their assigns, against the said parties of the first and second parts, and their heirs, and against all and every person and persons whomsoever, lawfully claiming or to claim the same, shall and will warrant, and by these presents forever defend.

In witness whereof, the said parties of the first and second part, by

their attorney aforesaid, have hereunto set their hands and seals, the day and year first above written.

AMOS DAVIS,
By W. W. CORCORAN, *Attorney*.
SAMUEL R. BROOKS,
By W. W. CORCORAN, *Attorney*.
WILLIAM CHAUNCEY,
By W. W. CORCORAN, *Attorney*.
D. RANDOLPH MARTIN,
By W. W. CORCORAN, *Attorney*.
CHARLES ILLINS,
By W. W. CORCORAN, *Attorney*.
CHARLES DAY,
By W. W. CORCORAN, *Attorney*.
GEORGE W. HODGES,
By W. W. CORCORAN, *Attorney*.
THOMAS A. DEXTER.
By W. W. CORCORAN, *Attorney*.
EDMUND MONROE,
By W. W. CORCORAN, *Attorney*.
THURSTON R. BLOOM,
By W. W. CORCORAN, *Attorney*.
JOHN A. ISELIN,
By W. W. CORCORAN, *Attorney*.
WILLIAM M. CLARK,
By W. W. CORCORAN, *Attorney*.
E. S. MUNROE,
By W. W. CORCORAN, *Attorney*.
V. DE LAUNAY,
By W. W. CORCORAN, *Attorney*.

Sealed and delivered in presence of—

ANTHONY HYDE,

As to all the fourteen signatures.

M. CALLAN,

As to all the fourteen signatures.

DISTRICT OF COLUMBIA, *Washington city*:

Be it remembered, that on this twenty-seventh day of October, in the year eighteen hundred and fifty-seven, before the undersigned, Nicholas Callan, a commissioner, resident in the city of Washington, duly commissioned and qualified by the executive authority and under the laws of the State of Georgia to take the acknowledgment of deeds, &c., to be used or recorded therein, personally appeared William W. Corcoran, to me well known to be the individual named in, and who executed the foregoing deed, and acknowledged that he had executed the said deed for himself and as attorney.

In testimony whereof, I have hereunto set my hand and official seal, the day and year aforesaid.

N. CALLAN,

Commissioner for the State of Georgia.

[The several powers of attorney under which W. W. Corcoran acted and signed, for the parties to the foregoing indenture, are attached to the original indenture filed in the Navy Department.]

No. 43.

THIS INDENTURE, made the 23d day of February, in the year 1856, between Amos Davis, of New York, Esq., of the first part, and George W. Hodges, of New York, Esq., of the second part, witnesseth:

That the said party of the first part, for and in consideration of the sum of \$5,000, lawful money of the United States of America, to him in hand paid by the said party of the second part at or before the en-sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, remised, released, conveyed, and confirmed, and by these presents does grant, bargain, sell, alien, remise, release, convey, and confirm, unto the said party of the second part, and to his heirs and assigns forever, all of one undivided thirty-second part ($\frac{1}{32}$) of Blythe Island, lying and being in the waters of Turtle river, opposite the city of Brunswick, in Glynn county, State of Georgia, and containing about 4,000 acres, more or less, subject to an agreement between the said party of the first part and the other owners of said island on the one part, and John L. Hays, of the city of Washington, on the other part, to go into effect upon certain conditions and contingencies therein expressed, and dated 19th December, A. D. 1854, to which reference is hereby made; the avails of the execution of said agreement to accrue to the benefit of said Hodges, together with all and singular the tenements, hereditaments, and appurtenances thereunto belonging, or in any wise appertaining, and the reversion and reversions, remainder and remainders, rents, issues, and profits thereof; and also all the estate, right, title, interest, property, possession, claim, and demand, whatsoever, as well in law as in equity of the said party of the first part, of, in, or to the above described premises, and every part and parcel thereof, with the appurtenances; to have and to hold all and singular the above-mentioned and described premises, together with the appurtenances, unto the said party of the second part, his heirs, and assigns, forever. And the said Amos Davis, and his heirs, the said premises, in the quiet and peaceable possession of the said party of the second part, his heirs, and assigns, against the said party of the first part, his heirs, and against all and every person and persons, whomsoever, lawfully claiming, or to claim the same, shall and will warrant, and by these presents forever defend.

In witness whereof, the said party of the first part has hereunto set his hand and seal, the day and year first above written.

AMOS DAVIS. [L. s.]

Sealed and delivered in the presence of—

H. J. CLARK.

JOHN BISSELL.

STATE, CITY, AND COUNTY OF NEW YORK, ss:

I, John Bissell, a commissioner for the State and resident in the city of New York, legally appointed by the governor of the State of Georgia to take testimony, acknowledgments, &c., to be used or recorded in that State, and qualified, do, under my hand and official seal, certify that on this 23d day of February, 1856, before me personally appeared Amos Davis, signer and sealer of the annexed instrument, and acknowledged the same to be his free act and deed for the uses and purposes therein mentioned.

JOHN BISSELL,
Commissioner for Georgia.

No. 44.

THIS INDENTURE, made the twentieth day of February, one thousand eight hundred and fifty-six, between Amos Davis, Esq., of New York, of the first part, and Charles T. Cromwell, of Manering Island, Westchester county, New York, of the second part, witnesseth:

That the said parties of the first part, in consideration of four thousand dollars to him duly paid, have sold, and by these presents doth grant and convey to the said party of the second part, his heirs and assigns, the five (5) undivided thirty-second parts ($\frac{5}{32}$) of Blythe Island, lying and being in the waters of Turtle river, opposite the city of Brunswick, in Glynn county, State of Georgia, and containing about four thousand acres more or less, subject to an agreement between said Davis, and the other owners of said island, on the one part, and John L. Hays, of the city of Washington, on the other part, to go into effect upon certain conditions and contingencies therein expressed, and dated December 19, A. D. eighteen hundred and fifty-four, to which reference is hereby made, the avails of the execution of said agreement to accrue to the benefit of said Cromwell to the amount of the debt secured by this mortgage hereinafter expressed, with interest, and for payment of the same, and also two undivided eightieth parts of the Brunswick canal, connecting the Altamaha with Turtle river, in the State of Georgia, and the land belonging or appertaining to the same, with the rights and privileges thereof.

This grant is intended as a security for the payment of a bond made by said Amos Davis, bearing even date herewith, conditioned for the payment of the sum of four thousand dollars in one year, from the date hereof, with interest thereon at the rate of seven per cent per annum, payable half yearly, which payments if duly made will render this conveyance void. But, notwithstanding, if the said interest or payment, or any part thereof, should at any time remain in arrears and unpaid for twenty days after the same or any part thereof, by the tenor of said bond, falls due, then the whole principal sum shall become due, and be collected at the option of the said party of the second part or his assigns, and the said Amos Davis hereby covenants and promises

to make the payments, principal, and interest, as above stated, and the said party of the first part, hereby, in case of default in any of the payments of principal or interest, as aforesaid, at the times the same shall fall due expressly pledges the rents and profits of the said mortgaged premises during the continuance of this mortgage, to pay the said principal and interest, and hereby expressly agrees and gives authority in case of such default that such rents and profits may be thereupon collected, and the net proceeds thereof, after payment of expense and commissions of collection, may be applied towards payment of said interest and principal, and in case of such default, and a foreclosure is commenced, a receiver of such rents and profits may be forthwith appointed by the court in which the foreclosure is commenced, and the said Amos Davis, covenants to insure and keep insured the buildings and edifices erected or to be erected upon the said premises to their insurable value, in such company or by such insurers as shall be approved by the said party of the second part, and to assign the policy and renewals as further security for the payment of the said principal and interest, and in default thereof the said party of the second part and his assigns may insure the same and the premiums, with interest thereon, shall be a lien upon the said premises; and the said Davis covenants with said Cromwell, that the land and premises above described, and hereby intended to be mortgaged, are free and clear of and from all incumbrances, liens, and charges whatever, and that he is seized of an estate in fee simple thereof, and has good, right, and lawful authority to convey the same as conveyed in and by this mortgage, this security being executed and given and contract made with reference and to be enforced according to the laws of the State of Georgia.

And if default shall be made in the payment of the principal or interest, as above-mentioned, then the said party of the second part and his assigns are hereby authorized pursuant to statute, to sell the premises above granted, or so much thereof as will be necessary to satisfy the amount then due, with the costs and expenses allowed by law.

In witness whereof, the party of the first part has hereunto set his hand and seal, the day and year first above written.

AMOS DAVIS. [L. S.]

Sealed and delivered in the presence of—the word “eighteenth” in the description altered to “eightieth,” and the word “five” also made so on another word, before execution—

JOHN BISSELL.

JOHN OAKEY.

STATE, CITY, AND COUNTY OF NEW YORK, ss:

I, John Bissell, a commissioner for the State and resident in the city of New York, legally appointed by the governor of the State of Georgia, to take testimony, acknowledgments, &c., &c., to be used or recorded in that State, and qualified, do, under my hand and official seal, certify that on this 26th day of February, 1856, before me, personally appeared Amos Davis, signer and sealer of the annexed instru-

ment, and acknowledged the same to be his free act and deed, for the uses and purposes therein mentioned.

[SEAL.]

JOHN BISSELL,
Commissioner for Georgia.

Recorded this 10th day March, 1856.

JACOB W. MOORE,
Clerk S. C. G. C.

STATE OF GEORGIA, *Glynn County:*
Clerk and Recorder's Office.

I, Jacob W. Moore, clerk, and recorder of deeds and mortgages, do certify that the above and foregoing is a true copy from record of mortgage from Amos Davis, Esq., to Charles T. Cromwell, as it appears on record in book M, folios 105 and 106.

In testimony whereof, I have hereunto set my hand officially, and affixed the seal of my office, this 26th day of March, 1857.

J. W. MOORE, *Clerk.*

STATE OF GEORGIA, *Glynn County:*
Clerk and Recorder's Office.

I, Jacob W. Moore, clerk of the superior court, and recorder of deeds and mortgages for this county, in the State aforesaid, do hereby certify that there are no judgments or incumbrances against the present owners of Blythe Island, except the copy of mortgage from Amos Davis to Charles T. Cromwell, this day inclosed to Mr. Amos Davis, either on the minutes of our courts, or the records of this office.

In testimony whereof, I have hereunto set my hand officially, and affixed the seal of my office, at Brunswick, this 26th day of March, A. D. 1857.

JACOB W. MOORE.

No. 45.

THIS INDENTURE, made the 15th day of October, in the year 1857, between Charles T. Cromwell, of the city of New York, of the first part, and Amos Davis, of the same place, of the second part, witnesseth:

That the said party of the first part, for and in consideration of the sum of \$5,738 15, lawful money of the United States of America, to him in hand paid by the said party of the second part, at or before the ensealing and delivery of these presents, the receipt whereof is hereby acknowledged, hath remised, released, and quit-claimed, and by these presents doth remise, release, and quit-claim, unto the said party of the second part, and to his heirs and assigns forever, all the five (5) undivided thirty-second parts of Blythe Island, lying in the waters of Turtle river, opposite the city of Brunswick, in Glynn county, State of Georgia, and containing about 5,000 acres more or less, together with all and singular the tenements, hereditaments, and ap-

purtenances thereunto belonging, or in any wise appertaining, and the reversion and reversions, remainder and remainders, rents, issues, and profits thereof; and also all the estate, right, title, interest, property, possession, claim, and demand, whatsoever, as well in law as in equity, of the said party of the first part of, in, or to the above described premises, and every part and parcel thereof, with the appurtenances; to have and to hold all and singular the above-mentioned and described premises, together with the appurtenances, unto the said party of the second part, his heirs, and assigns forever. This is intended as a release and discharge of said lands from and of all judgments, actions, suits, attachments, causes of action, and all liens and claims, whatsoever, belonging to me therein.

In witness whereof, the parties to the presents have hereunto interchangeably set their hands and seals the day and year first above written.

CHARLES T. CROMWELL. [L. s.]

Sealed and delivered in the presence of—

ADDISON F. TERRY.

JOHN OAKEY.

GEORGIA.

UNITED STATES OF AMERICA, }
State of New York, City and County of New York, } ss:

Be it remember, that on this 19th day of October, in the year 1857, before me, the undersigned, Edwin F. Corey, a commissioner, resident in the city of New York, duly commissioned and qualified by the executive authority and under laws of the State of Georgia, to take the acknowledgment of deeds, &c., to be used or recorded therein, personally appeared Charles T. Cromwell, to me personally known to be the individual named in and who executed the annexed instrument, and he acknowledged that he executed the said instrument for the purposes therein named and mentioned.

In witness whereof, I have hereunto set my hand and affixed my official seal, the day and year aforesaid.

EDWIN F. COREY,

Commissioner for the State of Georgia.

Office, Merchant's Exchange, New York.

No. 46.

Know all men by these presents: That we, Charles W. Cartwright and William H. Gardiner, of the city of Boston, and Simon Greenleaf, of Cambridge, in the Commonwealth of Massachusetts, Esqrs., trustees of the Brunswick Land Company, in consideration of eight thousand dollars paid by Mary Parland, as administratrix, and Francis

M. Scarlett, as administrator of the estate of John Parland, late of Glynn county, in the State of Georgia, deceased, the receipt whereof is hereby acknowledged, do by these presents, give, grant, bargain, sell, and convey unto the said Mary Parland and Francis M. Scarlett, in their said capacities of administratrix and administrator, as aforesaid, all that tract or parcel of land called Blythe Island, situate, lying, and being in the waters of Turtle river, and opposite to the town of Brunswick, in said county of Glynn and State of Georgia, and being the same land conveyed to us in trust for said company by said Mary Parland and Francis M. Scarlett, as such administratrix and administrator, by leave of court for that purpose obtained, and which same land is hereby conveyed to them in mortgage for the purpose of securing payment of part of the purchase money to the estate of the said John Parland, deceased; to have and to hold the above granted premises, with the privileges and appurtenances thereto belonging to the said Mary Parland and Francis M. Scarlett, administratrix and administrator, as aforesaid, their heirs and assigns, to their sole use and behoof forever, but upon the trusts of their said administration.

And we, the said Cartwright, Greenleaf, and Gardiner, for ourselves and our heirs, executors, and administrators, do covenant with the said Mary Parland and Francis M. Scarlett, their heirs and assigns, that we are lawfully seized in fee of the aforegranted premises; that they are free from all incumbrances made or suffered by us; that we have good right to sell and convey the same to the said Mary Parland and Francis M. Scarlett, administratrix and administrator, as aforesaid; and that we will, and our heirs, executors, and administrators shall, warrant and defend the same to the said Mary Parland and Francis M. Scarlett, their heirs and assigns forever, against the lawful claims and demands of all persons claiming by, from, or under us: *Provided, nevertheless*, That if the said Brunswick Land Company shall pay unto the said Mary Parland and Francis M. Scarlett, as such administrators, or their successors or assigns, the said sum of eight thousand dollars, in two annual installments, namely, four thousand dollars on or before the 1st day January, 1839, and shall also pay interest on said sum at the rate of — dollars per year upon every hundred dollars, to wit: on the — day of — in each year, and shall also keep the said premises constantly insured against fire to the amount of — dollars, payable in case of loss to the said —, then this deed, as also two certain promissory notes bearing even date with these presents, signed by the said C. W. Cartwright, as president of the said Brunswick Land Company, whereby said company promises to pay to the said Mary Parland and Francis M. Scarlett, the said sum and interest, at the times aforesaid, shall all be absolutely void to all intents and purposes: *And provided, also*, That until default of, or in the payment of the said sum of eight thousand dollars, or of some part thereof, of the interest therefor, or other default contrary to the true intent and meaning of the preceding proviso, it shall and may be lawful to and for the said Brunswick Land Company, heirs and assigns, peaceably and quietly to hold and enjoy all and singular the premises

hereby granted, and to receive and take the rents and profits thereof to and for their own use and benefit, without the denial or interruption of or by the said Mary Parland and Francis M. Scarlett, their heirs or assigns, or of or by any other person or persons claiming from, by, or under them, or under the said John Parland, deceased.

In witness whereof we, the said Cartwright, Greenleaf, and Gardiner, trustees as aforesaid, have hereunto set our hands and seals, this eighteenth day of January, in the year of our Lord eighteen hundred and thirty-seven.

C. W. CARTWRIGHT.
SIMON GREENLEAF.
W. H. GARDINER.

Executed and delivered in presence of us—the words “their successors or,” interlined before signing, and the printed words “heirs, executors, or administrators,” “whereby,” stricken out—

THOMAS A. DEXTER,
GEORGE J. F. ALLEYNE,

Witnesses to signature of W. H. Gardiner.

THOMAS A. DEXTER,
F. A. MESSINGER,

Witnesses to signature of C. W. Cartwright.

J. F. REY,

As to S. Greenleaf.

DISTRICT OF COLUMBIA, *Washington County*, ss:

January 25, A. D. 1837. Then personally appeared the above named Simon Greenleaf and acknowledged the above instrument to be his free act and deed, before me, one of the associate justices of the circuit court of the District of Columbia.

B. THURSTON.

COMMONWEALTH OF MASSACHUSETTS, }
Suffolk County, City of Boston, } ss:

Be it known, that on the day of the date hereof, before me, Thomas A. Dexter, a commissioner duly appointed under the great seal of the State of Georgia, within and for the Commonwealth of Massachusetts, resident in the city of Boston, and duly qualified to take the proof and acknowledgment of deeds and other instruments under seal, to be used or recorded in said State of Georgia, personally appeared Charles W. Cartwright and William H. Gardiner, Esqrs., both of whom are personally well known to me, and did in my presence sign and seal, and, as their voluntary act and deed, in their capacity of trustees of the Brunswick Land Company, severally duly execute, acknowledge, and deliver, the within deed, for the uses and purposes therein mentioned, and desired that the same might be recorded as such.

In testimony whereof, I have hereunto set my hand and affixed my seal, this 19th day of January, in the year of our Lord 1837.

THOMAS A. DEXTER,
Commissioner.

GEORGIA, *Glynn County*:

This is to certify, that the notes for which the within mortgage was given as security for the payment thereof, have all been paid according to their tenor, and this mortgage discharged in full.

FRANCIS D. SCARLETT,
FRANCIS M. SCARLETT,
For MARY ANN PARLAND.

Brunswick, January 18, 1839.

GEORGIA, *Glynn County*:

I, Francis M. Scarlett, one of the late administrators on the estate of John Parland, hereby acknowledge that Francis D. Scarlett who signed the above certificate of the satisfaction of the within mortgage on the 18th January, 1839, did so, as the duly authorized agent of myself and Mary Ann Parland, administrator and administratrix of the estate of said John Parland, deceased, and that said mortgage is fully satisfied.

FRANCIS M. SCARLETT.

Signed, sealed in our presence, this 7th day of November, A. D. 1857.

F. M. HARRIS.
HAMILTON COUPER,
Notary Public, Chatham County.

Both of these acknowledgments of satisfaction of mortgage, &c., by Francis M. Scarlett and Francis D. Scarlett, are on record in the clerk's office in the superior court of Glynn county, in book I J, folio 36.

GEORGE J. ARNOW, *Clerk.*

No. 47.

All that undivided moiety of the tract or parcel of land held by us, the said Sarah Handly and Thomas Handly, as tenants in common, with, "on and bounded by the waters of Turtle river, in the county of Glynn, and State aforesaid, known and called by the name of Blythe Island, containing 4,205 acres, be the same more or less; of which 1,633 acres are marsh land, 260 acres are hammock land, and 2,312 acres are pine barren; the said island of Blythe, being bounded on all sides by the waters of Turtle river."

Thomas Handly and Sarah Handly to John Parland: Deed dated January 12, 1815, conveys "an undivided" moiety of above-described premises; recorded November 15, 1817, in book G, pages 306, &c.

Frederick Beal and John E. Carson, members of the board of commissioners of the Franklin County Academy to John Parland: Deed dated May 19, 1817, conveys an undivided moiety of above-described premises; recorded November 15, 1817, in book G, pages 307, &c.

Francis M. Scarlett and Mary Ann Parland, administrator and administratrix of John Parland, deceased, to Charles W. Cartwright, William Howard Gardiner, and Simon Greenleaf, trustees of the Brunswick Land Company: Deed dated March 14, 1837, conveys "all that tract or parcel of land, called Blythe Island, situate, lying, and being in the waters of Turtle river, and opposite to the city of Brunswick, in said county of Glynn, and State of Georgia;" recorded March 18, 1837, in book H, folio †60.

Charles W. Cartwright and William H. Gardiner, trustees, &c., to Samuel R. Brooks and Amos Davis: Deed dated April 9, 1851, conveys "all that tract or parcel of land, called Blythe Island, situate, lying, and being in the waters of Turtle river, and opposite to the city of Brunswick, in said county of Glynn, and State of Georgia;" recorded January 12, 1852, in book L, pages 55, &c.

Amos Davis to William Chauncey: Deed dated February 5, 1853, conveys "all the one undivided sixteenth part," of above-described premises; recorded March 10, 1853, in book L, page 182.

Samuel R. Brooks to D. Randolph Martin: Deed dated September 24, 1853, conveys "all the undivided one eighth part of the undivided fifteen thirty-second parts of Blythe Island;" recorded 17, 1853, in book L, page 283.

Amos Davis to Thomas A. Dexter: Deed dated September 24, 1853, conveys "all of one undivided thirty-second part of Blythe Island;" recorded November 12, 1853, in book L, page 291.

Amos Davis to Edmund Monroe: Deed dated September 24, 1853, conveys "all of the undivided one eighth part of one undivided half part of Blythe Island;" recorded November 12, 1853, in book L, page 292.

Samuel R. Brooks to Thomas A. Dexter: Deed dated September 24, 1853, conveys "all the undivided one eighth part of the undivided fifteen thirty-second parts of Blythe Island;" recorded November 12, 1853, in book L, page 295.

Samuel R. Brooks to Edward Monroe: Deed dated September 24, 1853, conveys "all the undivided one eighth part of the undivided fifteen thirty-second parts of Blythe Island;" recorded November 12, 1853, in book L, page 294.

Samuel R. Brooks to Thomas A. Dexter: Deed dated September 24, 1853, conveys "all the undivided one eighth part of the undivided fifteen thirty-second parts of Blythe Island;" recorded November 12, 1853, in book L, page 295.

Samuel R. Brooks to Edward Monroe: Deed dated September 24, 1853, conveys "all the undivided one eighth part of the undivided fifteen thirty-second parts of Blythe Island;" recorded November 12, 1853, in book L, page 294.

Samuel R. Brooks to Thomas A. Dexter: Deed dated September 24, 1853, conveys "all of one undivided thirty-second part of Blythe Island;" recorded November 12, 1853, in book L, page 296.

Samuel R. Brooks to Charles Illins: Deed dated September 29, 1853, conveys "all the undivided one-eighth part of the undivided fifteen thirty-second parts of Blythe Island;" recorded December 15, 1853, in book L, page 305.

Samuel R. Brooks to Charles Illins: Deed dated September 24, 1853, conveys "all the undivided one-eighth part of the undivided fifteen thirty-second parts of Blythe Island;" recorded December 15, 1853, in book L, page 307.

Samuel R. Brooks to Charles Day and Thurston R. Bloom: Deed dated September 27, 1853, conveys "all the undivided fifteen thirty-second parts of Blythe Island;" recorded January 11, 1854, in book L, page 314.

Amos Davis to George W. Hodges: Deed dated February 23, 1856, conveys "one undivided thirty-second part of Blythe Island;" recorded October 28, 1856, in book M, pages 177 and 178.

STATE OF GEORGIA, *Glynn County*:

Clerk's Office, Superior Court.

I, Jacob W. Moore, clerk of the superior court in and for said county, do hereby certify that the above and foregoing is a true abstract of the title for Blythe Island as it appears on record in this office, which is the only office in said county where such conveyances are recorded. And I further certify that there are no adverse claimants to any portion of said property.

In testimony whereof, I have hereunto set my hand and affixed the seal of court, this 11th of September, 1857.

[SEAL.]

Know all men by these presents: That we, Sarah Handly and Thomas Handly, of the county of Richmond, and State of Georgia, have granted, bargained, and sold, unto John Parland, of the county of Glynn, and State of Georgia, and by these presents do give, grant, bargain, and sell, enfeoff and confirm, for and in consideration of the sum of \$1,500, to us in hand paid, the receipt whereof is hereby acknowledged, unto the said John Parland, all that undivided moiety of that tract or parcel of land held by us, the said Sarah Handly and Thomas Handly, as tenants in common with _____ on, and bounded by the water of the Turtle river, in the county of Glynn, and State aforesaid, known and called by the name of Blythe Island, containing 4,205 acres, be the same more or less, of which 1,633 acres are marsh land, 260 acres are hammock land, and 2,312 acres are pine barren; the said island of Blythe being bounded on all sides by the waters of Turtle river; to have and to hold the said tract or parcel of land, with all the issues, profits, and appurtenances thereto, as fully and completely as we, the said Thomas Handly and Sarah Handly, have hitherto held the said undivided moiety of the said tract or parcel of land, to the said John Parland and his heirs forever, as tenants in

common with . . . And the said Sarah Handly and Thomas Handly do covenant and agree for themselves, their heirs, executors, administrators, and assigns, to warrant and defend the titles of the undivided moiety of the said tract or parcel of land above-mentioned and described, unto the said John Parland, his heirs, executors, administrators, and assigns, against all and every person, whatsoever, having, or pretending to have, any claim, legal or equitable, to the said undivided moiety of the island of Blythe with the said Sarah Handly and Thomas Handly.

In witness whereof, we have hereunto set our hands and seals the 12th day of January, in the year of our Lord 1815.

SARAH HANDLY. [L. s.]

THOMAS HANDLY. [L. s.]

Signed, sealed, and delivered before us—

JOHN HARTFORD MONTGOMERY.

JOHN McQUIN.

John McQuin, one of the subscribing witnesses to the within deed, being duly sworn, deposeth and saith that he saw Sarah Handly and Thomas Handly sign and seal the within, the same being first read to them in this deponents presence, and acknowledged the same as their act and deed; and that this deponent also saw John Hartford Montgomery, the other subscribing witness, sign the same, as a witness, in the deponent's presence, and in the presence of the said Sarah Handly and Thomas Handly.

JOHN McQUIN.

Sworn to before me, this 13th day of March, 1816.

JOHN CUMMING,
J. I. C. R. C.

Recorded this 15th day of November, 1817, or examined by me.

J. ABRAHAM'S,
C. I. C. G. C.

STATE OF GEORGIA, *Glynn County* :

Clerk's Office, Glynn County.

I, Jacob W. Moore, clerk of the superior court in the county and State aforesaid, do hereby certify that the above and foregoing is a true copy from record as it appears in book G, folios 306, &c.

In testimony whereof, I have hereunto set my hand officially, and affixed the seal of court, at Brunswick, this 10th day of September, 1857.

J. W. MOORE, *Clerk.*

Know all men by these presents, that we, Frederick Beal and John E. Carson, members of the board of commissioners of and in behalf of James Hooper, Dudley James, James Blair, and John Mullin, Esq., the other named commissioners of the said academy, and all of the county of Franklin, and State of Georgia, have granted, bargained,

and deed, and do by these presents sell and bargain with and unto John Parland, of the county of Glynn, and State aforesaid, and by these presents to give, grant, sell and bargain, enfeoff and confirm, for and in consideration of the sum of seventeen hundred and fifty dollars, to us in hand paid, the receipt whereof is hereby acknowledged, have this day sold unto the John Parland all that undivided moiety of that tract or parcel of land situate, lying, and being in the Glynn county, and on Turtle river, known and called by the name of Blythe Island, containing two thousand one hundred and two acres, be the same more or less to have and to hold the said tract or parcel of land, with all the rights, issues, profits, and appurtenances, thereunto belonging or in any wise appertaining thereunto, as fully and amply as we the said commissioners have hitherto held the said undivided moiety of the said tract or parcel of land, to the said John Parland and his heirs forever, in fee simple; and we the said Frederick Beal, and John E. Carson, members, for themselves and for the aforesaid James Hooper, Dudley James, James Blair, and John Mullins, Esq., named commissioners of the Franklin County Academy, do warrant and defend the title of the aforesaid undivided moiety of the said tract or parcel of land above-mentioned and described, as commissioners, as aforesaid unto the said John Parland, his heirs, executors, administrators, and assigns, against all every person whatsoever having or pretending to have any claim legal or equitable title to the said undivided moiety of the said tract or parcel of land, or to any part thereof. In witness whereof, we have hereunto set our hands and seal, this 19th day of May, 1817.

FREDERICK BEAL, [L. s.]
JOHN E. CARSON, [L. s.]

SAMUEL PILES, *J. I. C.*
JOSEPH MANNING.

Recorded this 15th day of November, 1817, and examined by me.
J. ABRAHAMS, *C. S. C. G. C.*

STATE OF GEORGIA, *Glynn County:*

I, Jacob W. Moore, clerk of the superior court in the county and State aforesaid, do hereby certify that the above and foregoing is a true copy from record, as it appears in book G, folios 307, &c.

In testimony whereof, I have hereunto set my hand officially, and affixed the seal of court, at Brunswick, this 10th day of September, A. D. 1857.

J. W. MOORE, *Clerk.*

STATE OF GEORGIA, *Glynn County:*

This memorandum of agreement, made and entered into this 19th day of May, 1836, between John Parland, of the State and county aforesaid, of the one part, and Abraham Colby, of the city of Boston, and State of Massachusetts, of the other part, witnesseth: That the said John Parland doth by these presents promise and agree to sell to the said Abraham Colby, his heirs and assigns, all that tract or parcel of land called Blythe Island, situate, lying, and being in

the waters of the Turtle river, and opposite to the town of Brunswick, in the State and county aforesaid, for the sum of twelve thousand dollars, to be paid four thousand dollars on the 1st day of January, 1837, when and at which time the said John Parland doth promise and agree for himself or his assigns to make to the said Abraham Colby, or to his assigns, good and sufficient warranty titles to the said Blythe Island, he, the said Abraham Colby, being bound by these presents to give to the said John Parland, or to his assigns, a mortgage on the said Blythe Island, and personal security to secure to him, the said John Parland, the remaining eight thousand dollars of the sum agreed to be paid for the said Blythe Island, with legal interest thereon, which said eight thousand dollars are to be paid in two equal annual installments of four thousand dollars each, with the interest thereon, as follows, to wit: four thousand dollars and interest on the 1st day of January, 1838, and four thousand dollars and interest on the 1st day of January, 1839.

In witness whereof, I, the said John Parland, have hereunto set my hand and seal, the day and year above written.

JOHN PARLAND, [L. s.]

THOS. BUTLER KING,

ISAAC ABRAHAMS, *J. I. C. W. C.*

Recorded February 27, 1837.

JOHN BURNETT, *Clerk.*

STATE OF GEORGIA, *Glynn County:*

Clerk's Office, Glynn county.

I, Jacob W. Moore, clerk of the superior court in the county and State aforesaid, do hereby certify that the above and foregoing is a true copy from record, as it appears in book H, folio 442.

In testimony whereof, I have hereunto set my hand officially and affixed the seal of court, at Brunswick, this 10th day of September, A. D. 1857.

J. W. MOORE, *Clerk.*

Know all men, that I, Abraham Colby, within named, in consideration of one dollar, and for divers other valuable considerations, paid me by Charles W. Cartwright, Simon Greenleaf, and William Harward Gardiner, Esqrs., trustees of the Brunswick Land Company, the receipt whereof I hereby acknowledge, do hereby assign, transfer, sell and convey, bargain and grant to the said Cartwright, Greenleaf, and Gardiner, all my right, title, and interest, at law and in equity, in and to all and singular the lands within mentioned, and also in and to the contract and obligation within, and all benefits, equities, and claims resulting to me under and by virtue of the same, hereby investing them, and each of them, with full power as my attorneys irrevocable, and with power of substitution in my name, place, and stead, but at their cost and expenses, and to their use and benefit, to adopt and pursue all lawful means to carry said contract into effect, and complete, effect, and to enforce the performance of the same on the part of the obliger therein named and his heirs and assigns, and to

require a valid and absolute title at law to said land, and to derive to themselves all the benefit and advantage which I might lawfully have derived from said contract or obligation, if this assignment and conveyance had not been made. To have and to hold the premises to them the said Cartwright, Greenleaf and Gardiner, in their said capacity of trustees, as joint tenants, and not as tenants in common, and to the survivors of them, and the heirs of such survivors and his assigns forever, in trust, for the use and benefit of the stockholders in the said Brunswick Land Company, and for the uses and purposes declared in the deed of trust made by Colby and Davis to them, dated September 12, 1836, and in the indenture and articles of agreement of the same date, therein referred to.

In witness whereof, I have hereunto set my hand and seal, this 21st day of September, 1836.

ABRAHAM COLBY. [L. s.]

Signed, sealed, and delivered in the presence of—

E. T. HASTINGS, Jr.

W. A. WELLMAN.

Recorded 27th February, 1837.

JOHN BURNETT, *Clerk.*

STATE OF GEORGIA, *Glynn County:*

Clerk's Office, Glynn County.

I, Jacob W. Moore, clerk of the superior court in the county and State aforesaid, do hereby certify that the above and foregoing is a true copy from record, as it appears in book H, folios 443, &c.

In testimony whereof, I have hereunto set my hand officially, and affixed the seal of court, at Brunswick, this 10th September, A. D. 1857.

J. W. MOORE, *Clerk.*

STATE OF GEORGIA, *Glynn County:*

The honorable the court of ordinary for the county of Glynn, in the State aforesaid, to Mrs. Mary Ann Parland and Francis M. Scarlett:

Whereas, John Parland, late of the county and State aforesaid, deceased, died intestate, having whilst he lived, and at the time of his death, divers goods, chattels and credits, within the county and State aforesaid, by means whereof the full disposition and power of granting the administration of all and singular, the goods, chattels and credits, of the deceased; and also, auditing the accounts, calculations, and reckonings, of the said deceased, may be well and truly administered, converted, and disposed of, do hereby grant unto the said Mrs. Mary Ann Parland and Francis M. Scarlett, full power, by the tenor of these presents, to administer the goods, chattels, and credits, of the said deceased, which to him in his lifetime and at his death did belong; and to ask, levy, sue for, and recover the same, and to pay the debts, in which the deceased stood obliged, so far forth as his goods, chattels, and credits, will extend, according to their rate and order of law; being first sworn on the Holy Evangely of Almighty God, to make a true and perfect inventory thereof, and to exhibit the same

into the clerk of the court of ordinary's office, aforesaid, in order to be recorded, on or before the first Monday of January next, ensuing, and to render a just and true account, calculation, and reckoning, of the said administration, which thereunto required. And we ordain, depute, and constitute you, the said Mary Ann Parland and F. M. Scarlett, administratrix and administrator of all and singular the goods, chattels, and credits of the said deceased.

Witness the Hon. J. Hamilton Couper, the 7th day of November, in the year of our Lord 1836, and in the 61st year of American independence.

JOHN BURNETT, *Clerk.*

Recorded this 8th day of June, 1857.

STEPHEN J. GORTON,
Ordinary G. C.

GEORGIA, *Glynn County:*
Ordinary's Office.

This certifies that the above and foregoing instrument of writing, is a true copy of the letters of Mrs. Mary Ann Parland and Francis M. Scarlett, administratrix and administrator of the estate of John Parland, as recorded in this office in record book F.

Given under my hand and official signature, this 11th day of September, A. D. 1857.

STEPHEN J. GORTON,
Ordinary G. C.

STATE OF GEORGIA, *Glynn County:*

Whereas, John Parland, deceased, late of the State and county aforesaid, did, in his lifetime, to wit, on the 19th day of May, 1836, covenant and agree, to sell and convey to Abraham Colby, of the city of Boston, in the State of Massachusetts, all that tract or parcel of land called Blythe Island, situate, lying, and being, in the waters of Turtle river, and opposite to the town of Brunswick, in the State and county aforesaid, for the sum of \$12,000, one-third of which sum was agreed to be paid on the 1st day of January, 1837, and \$4,000 on the 1st day of January, 1838, and \$4,000 on the 1st day of January, 1839, with legal interest thereon; and whereas, the said Abraham Colby did, on the 21st day of September, 1836, assign, transfer, sell and convey, bargain and grant, to C. W. Cartwright, Simon Greenleaf, and William Howard Gardiner, Esqrs., trustees of the Brunswick Land Company, all the right, title, and interest at law and in equity, in and to all and singular the said tract or parcel of land, called Blythe Island, which the said John Parland, did in his lifetime covenant and agree to sell and convey to the said Abraham Colby, for the sum of \$12,000, to be paid as above stated; and whereas, the said John Parland has departed this life, and I, the undersigned, Francis M. Scarlett, am duly qualified, according to law, as the acting administrator of the estate of the said John Parland, deceased; know all men by these presents, that I, Francis M. Scarlett, of the State and county aforesaid, acting administrator as aforesaid, do hereby covenant, promise, and agree, to and

with the said Charles W. Cartwright, Simon Greenleaf and William Howard Gardiner, trustees as aforesaid, that I, the said Scarlett, will, so soon as the necessary permission can be obtained from the court, cause good and sufficient titles to be executed of and to the said tract or parcel of land called Blythe Island, aforesaid, unto the said C. W. Cartwright, Simon Greenleaf and William Howard Gardiner, trustees as aforesaid, in pursuance of, and agreeable with the terms and tenor of the aforesaid agreement, made and entered into between the said John Parland and the said Abraham Colby; they, the said trustees, being equally bound to comply therewith.

In witness whereof, I have hereunto set my hand and seal, this 31st day of December, in the year of our Lord, 1836.

FRANCIS M. SCARLETT, [L. S.]
Administrator of the estate of John Parland.

Witness:

THOS. BUTLER KING.

ISAAC ABRAHAMS, *J. I. C. W. C.*

Recorded 27th February, 1837.

JOHN BURNETT, *Clerk.*

STATE OF GEORGIA, *Glynn County:*
Clerk's Office, Glynn County.

I, Jacob W. Moore, clerk of the superior court in the county and State aforesaid, do hereby certify that the above and foregoing is a true copy from record, as it appears in book H, folio 442, &c.

In testimony whereof, I have hereunto set my hand officially, and affixed the seal of court, at Brunswick, this 10th day of September, A. D. 1857.

J. W. MOORE, *Clerk.*

Whereas, the late John Parland did on the 19th day of May, 1836, covenant and agree to sell and convey to Abraham Colby all that tract or parcel of land called Blythe Island, for the sum of twelve thousand dollars, one third of which sum, or four thousand dollars, was agreed to be paid on the 1st day of January, 1837; and whereas, the said Abraham Colby did on the 21st day of September, 1836, assign, transfer, sell and convey, bargain and grant to C. W. Cartwright, Simon Greenleaf, and William Howard Gardiner, Esqrs., trustees of the Brunswick Land Company, all his right, title, and interest, at law and in equity, in and to the said tract or parcel of land called Blythe Island; now I, Francis M. Scarlett, acting administrator of the estate of the late John Parland deceased, do hereby acknowledge to have received from the said C. W. Cartwright, Simon Greenleaf and William Howard Gardiner, Esqrs., trustees as aforesaid, by the hand of Thomas Butler King, the sum of four thousand dollars in specie, it being the full amount of the first payment as stipulated to be paid on the 1st day of

January, 1837, in the articles of agreement within named between the late John Parland and Abraham Colby.

FRANCIS W. SCARLETT, [L. s.]
Administrator of the estate of John Parland.

ISAAC ABRAHAM, *J. I. C. W. C.*

THOS. BUTLER KING,

Recorded February 27, 1837,

JOHN BURNETT, *Clerk.*

STATE OF GEORGIA, *Glynn County:*
Clerk's Office, Glynn County.

I, Jacob W. Moore, clerk of the superior court in the county and State aforesaid, do hereby certify that the above and foregoing is a true copy from record, as it appears in book H, folio 443.

In testimony whereof, I have hereunto set my hand officially, and affixed the seal of court, at Brunswick, this 10th day of September, A. D. 1857.

J. W. MOORE, *Clerk.*

Whereas, John Parland, late of the county of Glynn, and State of Georgia, in his lifetime did, on the 19th day of May, 1836, sell, and agree to convey to Abraham Colby, of the city of Boston, and State of Massachusetts, all that tract or parcel of land called Blythe Island, situated, lying, and being in the waters of Turtle river, in the county of Glynn, and State of Georgia, for the sum of \$12,000.

And, whereas, the said Abraham Colby did, on the 21st day of September, 1836, transfer the said agreement unto Charles W. Cartwright and William Howard Gardiner, of the city of Boston, and Simon Greenleaf, of the town of Cambridge, in the Commonwealth of Massachusetts, Esqrs., as trustees of the Brunswick Land Company; and, whereas, an order or decree of the court of ordinary of Glynn county, aforesaid, has been obtained authorizing the undersigned, Francis M. Scarlett and Mary Ann Parland, administrators of the estate of said John Parland, deceased, to carry into effect the contract aforesaid, and, in compliance with the terms thereof, to convey the tract or parcel of land aforesaid called Blythe Island with the appurtenances. Now, therefore—

Know all men by these presents: That we, Francis M. Scarlett and Mary Ann Parland, administrators of the estate of the said John Parland, of Glynn county, and State of Georgia, deceased, in consideration of \$12,000 paid us by Charles W. Cartwright and William Howard Gardiner, of the city of Boston, and Simon Greenleaf, of the town of Cambridge, in the Commonwealth of Massachusetts, Esqrs., as trustees, and in behalf of the stockholders in the Brunswick Land Company, the receipt whereof we do hereby acknowledge, do hereby give, grant, bargain, sell, and convey, to the said Charles W. Cartwright, William Howard Gardiner, and Simon Greenleaf, in their capacity of trustees, as aforesaid, all that tract or parcel of land called Blythe Island, situate, lying, and being in the waters of Turtle river, and opposite to the city of Brunswick, in said county of Glynn, and State of Georgia, to have and to hold the above granted

premises, with the appurtenances thereof, to them, the said Cartwright, Gardiner, and Greenleaf, and the survivor of them, and the heirs of such survivor, and to their assigns, in fee simple, forever in trust, for the use and benefit of the stockholders of the Brunswick Land Company, according to the terms and upon the conditions contained in their articles of association, dated September 12, A. D. 1836, to which reference is to be had; and we, Francis M. Scarlett and Mary Ann Parland, do, for ourselves, our successors, as administrators as aforesaid, and our heirs, executors, and administrators, hereby covenant, with the said Cartwright, Gardiner, and Greenleaf, their heirs, assigns, and successors in said trust; that we are lawfully seized as administrators as aforesaid, in fee simple of the premises; that they are free from all incumbrances; that we have good right to convey the same as aforesaid; and that we, our heirs, successors, executors, and administrators, shall, and will warrant and defend the same to them, the said Cartwright, Gardiner, and Greenleaf, and their heirs and assigns and successors forever, against the lawful claims and demands of all persons.

In witness whereof, we have hereunto set our hands and seals, this 14th day of March, A. D. 1837.

FRANCIS M. SCARLETT,
Administrator.

MARY ANN PARLAND,
Administratrix.

FRANCIS D. SCARLETT.
GEORGE BALLSH, *J. P.*

CLERK'S OFFICE, *Glynn County:*

Recorded in book H, folio 460, this 18th day of March, 1837.

JOHN BURNETT, *Clerk.*

STATE OF GEORGIA, *Glynn County:*
Clerk's Office, Glynn County.

I, Jacob W. Moore, clerk of the superior court in the county and State aforesaid, do hereby certify that the above and foregoing is a true copy from record, as it appears in book H, folio 460, &c.

In testimony whereof, I have hereunto set my hand officially, and affixed the seal of court, at Brunswick, this 10th September, A. D. 1857.

J. W. MOORE, *Clerk.*

To all persons to whom these presents shall come: Charles W. Cartwright and William Howard Gardiner, both of Boston, in the county of Suffolk, and Commonwealth of Massachusetts, Esqrs., trustees for the joint stock company and association called the Brunswick Land Company, send greeting:

Whereas, Abraham Colby and Amos Davis, by their deed dated September 12, 1836, recorded with Glynn county deeds, in the State of Georgia, book H, pages 435 and 436, conveyed to said Cartwright, and Gardiner, and to Simon Greenleaf, of Cambridge, in the county of Middlesex, and said Commonwealth, Esqrs., as trustees for said land

company, certain parcels of land with the privileges and appurtenances thereto belonging, situated in and adjoining the city of Brunswick, in said Glynn county, to be held by said trustees upon the trusts recited in said deed and in a certain trust deed or indenture of two parts, bearing even date with said deed of said Colby and Davis, and herewith to be recorded, made between said Colby and Davis and others, then associates, of the one part, and said Cartwright, Greenleaf, and Gardiner, of the other part, as upon reference to said deed and said indenture will fully and at large appear.

And whereas, Francis W. Scarlett and Mary Ann Parland, administrators of John Parland, by deed dated March 14, 1837, recorded with Glynn county deeds, book H, page 460, conveyed to said trustees a certain tract of land called Blythe Island, in said Glynn county, as by reference to said deed will appear.

And whereas, Thomas Butler King, of said Glynn county, by deed dated January 9, 1838, recorded with Glynn county deeds, book, I J, folios 1 and 2, released to said trustees all his right, title, interest, and estate, in and to the tract of land situated in said Brunswick, and in said deed described, as in and by said deed, reference thereunto being had, will more fully appear.

And whereas, one Celia Lamb, of said Brunswick, by deed dated March 18, 1837, released and quit-claimed unto Edward Eldridge, of said Boston, all her right, title, interest, and estate in and to certain lots or parcels of land in said deed described, as by reference to said deed, recorded with Glynn county deeds, book H, folio 461, will more fully appear; and said Eldridge, by deed dated April 9, 1837, conveyed all his right, title, interest, and estate, in the said lots or parcels of land to said trustees, by reference to said deed, recorded with Glynn county deeds, book H, folio 480, will more fully appear.

And whereas, said trustees have, since the date of said deeds respectively, made sale from time to time of certain portions of said lands, and have leased certain other portions, and have held and managed the residue in trust for said land company, according to the provisions of said deed and indenture.

And whereas, said Greenleaf has, since the date of said deeds, resigned his said office as trustee, in the manner prescribed by article nineteenth of said trust indenture, by his deed bearing date February 10, 1844, and herewith to be recorded, and has thereby conveyed to said Cartwright and Gardiner, all his right, title, interest and estate in all and any lands in Glynn county, in the State of Georgia, lying in and adjacent to the town of Brunswick, and all other lands and other property whatsoever, which said Greenleaf held with them, said Cartwright and Gardiner, as trustees of said land company, under said trust deed, as in and by said deed of said Greenleaf, reference thereto being had, will appear.

And whereas, by force of said deed, and resignation of said Greenleaf, all the right, title, interest, and estate, whatsoever, in and to any and all such real estate aforesaid, which by said several deeds herein beforementioned, or otherwise, had been conveyed to, and had become and was vested in said Cartwright, Greenleaf, and Gardiner, in trust, as aforesaid, thereupon passed, and came to, and became, and

now is vested in said Cartwright and Gardiner, in trust, for said joint stock company and association, called the Brunswick Land Company.

And whereas the directors and stockholders of said land company have determined to sell and dispose of all the property of said company, and to wind up its affairs, and to dissolve the said association, and Samuel R. Brooks and Amos Davis, both of the city and State of New York, Esqrs., have offered and proposed to purchase all the unsold real estate and chattels, now held by said trustees as aforesaid for the said land company, and to pay therefor the sum of \$18,000; and the directors of said land company, thereunto duly authorized by the provisions of said trust indenture, have agreed to sell the same to said Brooks and Davis for the said sum, and by a vote, a copy whereof is hereto annexed, passed in conformity to the provisions of said trust indenture, have ordered and directed said trustees to sell and convey all their right, title, interest, and estate, in and to said real estate "and chattels," and every part thereof to said Brooks and Davis, for the said sum.

Now, therefore, know ye, that the said Cartwright and Gardiner, trustees as aforesaid, in consideration of \$18,000, paid by said Brooks and Davis, and other good and valuable considerations, the receipt whereof is hereby acknowledged, do, by these presents, give, grant, bargain, sell, and convey, without any warranty, express or implied, unto them, the said Brooks and Davis, their heirs and assigns, all the right, title, interest, and estate of the said trustees of the said Brunswick Land Company in and to the following described parcels of land, in manner following, that is to say: All their right, title, interest, and estate in and to a certain tract or parcel of land, containing 45 acres, more or less, and thus described in the deed of said Colby and Davis, aforesaid: bounded westward, by lands of the heirs of William Piles, Robert Piles, and John Parland; northwardly, by the town of Brunswick; northeastwardly, by lands of Gee Dupree; and southeastwardly, by salt marshes; commencing at a stake on the marsh, and running N. 32° W., 36 chains to a stake on the edge of the town of Brunswick; thence N. 69° E. along the edge of the town, 9.50 chains, to a stake; thence S. 21° E. 6 chains, to a stake; thence, N. 88½° E. 12.70 chains, to a large live-oak on the edge of the marsh; thence, along the meandering edge of the said marsh, to the place of beginning; being the same parcel of land conveyed to said Abraham Colby by Gee Dupree, by his deed, dated January 21, in the year 1836, and recorded with Glynn county deeds, book H, folio 387, January 30, 1836.

Also, all their right, titles interest, and estate in and to that tract of land or parcel of land situate, lying, and being in the county aforesaid, bounded southerly by lands known as Moses Castman's; west, by the town commons of Brunswick; north, by lands of Urbannis Dart; eastwardly and northeastwardly, by salt marshes; commencing at a live-oak stake and running S. 89° E. 34.14 chains, to a live-oak stake on the edge of the marsh; thence N. 12° W. 6.90 chains, to a live-oak stump; thence N. 77° W. 2.60 chains, to a dead live-oak tree; thence N. 32° W. 6.50 chains, to a cedar stake; thence N. 60° W. 3.40 chains, to live-oak stump; thence N. 14° W. 60.10 chains, to a

dead live-oak tree; thence N. 71° W. 6.90 chains, to a dead live-oak tree; thence N. 1.29° E. 5.20 chains, to a cedar stake; thence N. 12° E. 7.09 chains, to a cedar stake; thence N. $89\frac{1}{2}^{\circ}$ W. 19.28 chains, to a stake; thence due S. 33.05 chains, to the place of beginning; and containing about eighty acres, of which there are about ten acres of land in the southeastern corner which was originally sold by George Purvis to McKinzie, the balance being the southern part of a tract consisting of four fifty-acre lots of hammock land, originally a part of the eastern commons of the town of Brunswick, which were sold under an act of the general assembly of the State aforesaid, at Brunswick, on the 2d day of October, 1797, bid off and sold to Leighton Wilson, Esq., being the same parcel of land conveyed by his deed or indenture dated February 1, A. D. 1836, and recorded in Glynn county deeds, book H, folio 408 and 409.

Also, all their right, title, interest, and estate in and to a certain other tract of land thus described in said deed of said Colby and Davis; all that tract or parcel of land lying, being, and situated in the county of Glynn aforesaid, known as the Crispin Islands, containing 327 acres of high land and 1,000 acres of marsh, more or less, being the same parcel of land conveyed to said Davis and Colby by John Burnett, sr., by his deed or indenture dated December 17, 1835, and recorded in Glynn county deeds, book H, folio 382. Also, all their right, title, interest, and estate in and to the lands thus described in said deed of said Colby and Davis, viz: "all those fifty-seven lots, pieces, or parcels of land, containing five acres each, situate, lying, and being in the county of Glynn aforesaid, being part of the town commons of Brunswick, as aforesaid, that is to say, lots Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, with all the buildings thereon, and all the right, easement, privileges, and appurtenances thereto belonging; being the same several parcels of land conveyed to said Colby and Davis by James Hamilton Couper, Henry Dubignon, Charles Grant, Samuel M. Burnett, Thomas Bath King, and John Parland, of the county of Glynn, and State of Georgia, commissioners of the town commons of Brunswick, by deed dated September 2, 1836, recorded with Glynn county deeds, book H, folio 421, 422, and 423."

Also, all their right, title, interest, and estate in and to the lands thus described in said deed of said Davis and Colby, viz: "the following described lots or parcels of land lying in the north half of the town of Brunswick, in the county and State aforesaid, and known in the plan of said town by the following denominations and numbers, viz: water lots numbered 6, 7, 8, 9, 10, 11, 12, 13, and 14, and town lots Nos. 56, 57, 58, 59, 60, 61, 63, 64, 65, 119, 134, 135, 136, 139, 140, 141, 142, 143, 184, 185, 186, 187, 188, 189, 190, 191, 192, 238, 289, 290, 291, 292, 293, 333, 345, 346, 347, 362, 363, 364, 365, 367, 368, 369, 370, 371, 421, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 512, 513, 514, 517, 518, 519, 520, 294, 295, 296, 297, and 298," being the same lots conveyed with other lots by said Dart to said Colby and Davis, by deed dated December 5, 1835, recorded in Glynn county

deeds, book H, folios 387 and 389, upon the condition as to the construction of a canal, which, upon reference to said deed, will at large appear; which condition was by indenture between said Dart and said trustees, dated April 25, 1838, modified, and the term for the completion of the canal extended to December 5, 1839, as by reference to said indenture will at large appear, and into which above-described lands said Dart afterwards, on the 24th of November, 1842, entered for breach of said condition.

Also, all their right, title, interest, and estate in and to the lands described as follows in said deed of said Colby and Davis, viz: "the several lots and parcels of land lying and being in the town of Brunswick aforesaid, and known and described on a plan of said town by the following described numbers, namely: water lots numbered 2, 3, 4, 5, 16, 17, 18, 20, and town lots numbered 2, 3, 4, 5, 53, 55, 102, 115, 116, 230, 231, 232, 233, 280, 281, 282, 283, 243, 244, 358, 359, 360, 361, 508, 509, 510, 511, 247, 334, 348, 372, 373, 374, 375, 376, 422, 423, 424, 425, 426, 472, 473, 474, 475, 476, 522, 523, 524, 525, 526," being lots conveyed to said Colby and Davis by Urbannis Dart by his deed dated July 18, 1836; recorded with Glynn county deeds, book H, folios 412 and 413.

Also, all their right, title, interest, and estate in and to Blythe Island, so called, in said Glynn county, and thus described in said deed from the representatives of said John Parland, viz: "all that tract or parcel of land called Blythe Island, situate, lying, and being in the waters of Turtle river, and opposite to the city of Brunswick, in said county of Glynn, and State of Georgia."

Also, all that tract or parcel of land called Blythe Island, situate, lying, and being in the waters of Turtle river, and opposite to the city of Brunswick, in said county of Glynn, and State of Georgia.

Also, all their right, title, interest, and estate in and to the premises thus described in said deed of Celia Lamb to said Eldridge, under and by virtue of said deed of said Lamb to said Eldridge, and of said Eldridge to said trustees, viz: all those parcels or tracts of land situate, lying, and being in the town or city of Brunswick, in said county, and known on the plan and by the survey of said town as water lots, numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, and 15, and as bay and town lots, Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, whether the same are included in any of the beforementioned parcels or not; and, also, all their right, title, interest, and estate, in and to any other parcels of land in said Brunswick, under and by virtue of said deeds.

Also, all their rights, titles, interest, and estate, under and by virtue of said deed of said King, in and to the land thus described therein, whether included or not in the beforementioned parcels of land, viz: That tract or parcel of land containing thirteen acres, more or less, of salt marsh, bounded by lines running as follows, viz: Beginning at the water's edge, and running on the line dividing the old and new towns of Brunswick, in said county, N. 80° E. 2 chains 50 links; thence N. 5° W. 5 chains; thence N. 10° E. 5 chains 29 links; thence N. 40° E. 3 chains; thence N. 29° W. 13 chains 50 links; thence S. 91½° E. 40 chains 50 links, to the beginning; which said tract or par-

cel of land adjoins the said town of Brunswick, as originally laid out, on the south, and the Academy creek or Oglethorpe bay on the west.

Also, all the right, title, interest, and estate of the said trustees, and of the said Brunswick Land Company, in and to all and singular the lands, tenements, and hereditaments whatsoever, lying within the State of Georgia, heretofore vested in, and now held by the said trustees upon the trusts aforesaid, although the same may not be herein particularly described or referred to; excepting, however, all lots or parcels of land, rights, privileges, easements, and appurtenances whatsoever, whether included in any of the foregoing descriptions or not, which have heretofore been sold and conveyed by or in behalf of said Brunswick Land Company and its trustees, and excepting and reserving also the right of lessees and other occupants of said lands, tenements, or hereditaments, or any part or parcel thereof lawfully derived from the said trustees; and it being understood that the seventy-four lots, conveyed to Colby and Davis by Dart's deed, dated July 18, 1836, are subject to the limitation of damages in case of eviction as against said Dart, which is provided for in said indenture between said Dart and said trustees, herein beforementioned and herewith to be recorded. To have and to hold the same, with all the rights, privileges, and appurtenances thereto belonging, to the said Brooks and Davis, their heirs, and assigns, to their use and behoof forever, free and discharged, agreeably to article twenty-six of said indenture of trust herein beforementioned, from all the trusts thereby created free of all obligations on the part of said grantees, their heirs, and assigns, to see to the application of the purchase money by them paid, and of all obligation to inquire whether said trustees, in making this sale have acted conformably to the trust in them reposed, as provided by said article twenty-six.

In testimony whereof, the said Cartwright and Gardiner, trustees as aforesaid, have hereunto set their hands and seals, this 9th day of April, in the year of our Lord, 1851.

W. W. GARDINER.

C. W. CARTWRIGHT.

Signed, sealed and delivered, in presence of us—"Moses Eastman," west by, "twenty-eight," "fifty," "four hundred and eighty-two," "on the south" *interlined*; "out," "eighty," *erased*; "manner" written over an erasure before signing; "any of and chattels," twice *interlined*; "to" and "&," twice *erased*; "and every," written over erasure before signing—

C. S. RIPLEY.

BENJ. H.

STATE OF MASSACHUSETTS, *County of Suffolk*:

Be it remembered, that on the 9th day of April, in the year of our Lord, 1851, the within named Charles W. Cartwright and William H. Gardiner, who have signed the within deed, have personally appeared before Benjamin H. , a commissioner in and for said State, appointed by the governor of the State of Georgia, to take the acknowledgment and proof of deeds, and instruments of writing

under seal, to be used and recorded in the said State of Georgia, and acknowledged that they signed, sealed, and delivered the within as their voluntary act and deed, for the uses and purposes therein mentioned.

Given under my hand seal, the day and year aforesaid.

BENJAMIN H. , [L. S.]
Georgia Commissioner.

Voted, That the trustees be authorized and directed to sell and convey to Samuel R. Brooks and Amos Davis, all the remaining real estate, and all the chattels lying at Brunswick, in the State of Georgia, belonging to this company, for the sum of \$18,000, without any warranty of title, or other covenant, or obligation, whatever, on the part of this, concerning the same.

I hereby certify, the above to be a true and exact copy from the original containing the vote, as read to the directors of the Brunswick Land Company, at their meeting held at the office of Charles Amory, Esq., on Tuesday, the 8th day of April, 1851.

I also certify, that the above is an exact copy of the said vote as recorded on the record book of the directors of the Brunswick Land Company.

EDWARD A. DEXTER,
Clerk of Brunswick Land Company.

Recorded this 12th day of January, A. D. 1852.

Clerk S. C. S. C.

STATE OF GEORGIA, *Glynn County*:
Clerk's Office, *Glynn County*.

I, Jacob W. Moore, clerk of the superior court in the county and State aforesaid, do hereby certify, that the above and foregoing, is a true copy from record, as it appears in book L, pages 55, &c.

In testimony whereof, I have hereunto set my hand officially, and affixed the seal of court, at Brunswick, this 10th day of September, A. D. 1857.

J. W. MOORE, Clerk.

THIS INDENTURE, made the 5th day of February, in the year 1853, between Amos Davis, of the city, county, and State of New York, party of the first part, and William Chauncey, of the same place, party of the second part, witnesseth:

That the said party of the first part, for and in consideration of the sum of one dollar, lawful money of the United States of America, to him in hand paid, by the said party of the second part, at or before the ensembling and delivery of these presents, the receipt whereof is hereby acknowledged, hath remised, released, and quit-claimed, and by these presents doth remise, release, and quit-claim, unto the said party of the second part, and to his heirs and assigns forever, all the one undivided sixteenth part of all that certain island called Blythe Island, situate, lying, and being, in the waters of Turtle river, in the county of Glynn, State of Georgia; the said island being

the same conveyed by Francis M. Scarlett and Mary Ann Parland, administrators of John Parland, to William H. Gardiner and Charles W. Cartwright, trustees, &c., by deed dated March 14, 1837, and recorded in Glynn county deeds, book H, page 460, and by the said Cartwright and Gardiner, conveyed to Samuel R. Brooks and the party of the first part, by deed, dated April 9, 1851, and recorded with Glynn county deeds, book L, folios 55, *et seq*; and the said one sixteenth hereby conveyed, being one undivided eighth of all the right, title, and interest, of the party of the first part in said island, together with all and singular, the tenements, hereditaments, and appurtenances thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues, and profits, thereof. And also, all the estate, right, title, and interest, property, possession, claim and demand, whatever, as well in law as in equity, of the said party of the first part, of, in, or to the above-described premises, and every part and parcel thereof, with the appurtenances; to have and to hold, all and singular, the above-mentioned and described premises, together with the appurtenances, unto the said party of the second part, his heirs and assigns forever.

In witness whereof, the said party of the first part hath hereunto set his hand and seal, the day and year first above written.

AMOS DAVIS. [L. s.]

Sealed and delivered in the presence of—

J. T. GLEASON,
JOHN BISSELL.

STATE, CITY, AND COUNTY OF NEW YORK, ss:

I, John Bissell, a commissioner for the State, and resident in the city of New York, appointed by the governor of the State of Georgia, under the law, and commissioned under the great seal of that State, duly affirmed and qualified to take testimony, acknowledgments, &c., &c., to be used or recorded in that State, do by this instrument, given under my hand and official seal, certify that on the 7th day of February, 1853, before me personally appeared Amos Davis, signer and sealer of the annexed instrument, and acknowledged the same to be his free act and deed for the uses and purposes therein mentioned.

JOHN BISSELL,

Commissioner for Georgia.

Recorded this 10th day of March, 1853.

ALEXANDER SCRANTON,

Clerk S. C. G. C.

STATE OF GEORGIA, *Glynn County:*

Clerk's Office, Glynn County.

I, Jacob W. Moore, clerk of the superior court in the county and State aforesaid, do hereby certify that the above and foregoing is a true copy from record, as it appears in book L, page 182.

In testimony whereof, I have hereunto set my hand officially, and affixed the seal of court, at Brunswick, this 10th day of September, A. D. 1857.

J. W. MOORE, *Clerk.*

THIS INDENTURE, made the 24th day of September, in the year 1853, between Samuel R. Brooks, of the city, county, and State of New York, of the first part, and D. Randolph Martin, of the same place, party of the second part, witnesseth:

That the said party of the first part, for and in consideration of the sum of one dollar, lawful money of the United States of America, to him in hand paid by the said party of the second part, at or before the ensealing or delivery of these presents, the receipt whereof is hereby acknowledged, hath granted, bargained, sold, aliened, remised, released, conveyed, and confirmed, and by these presents doth grant, bargain, sell, alien, remise, release, and confirm unto the said party of the second part, and to his heirs and assigns forever, all the undivided one-eighth part of the undivided fifteen thirty-second parts of Blythe Island, in Glynn county, Georgia, and which island is described in a certain deed from Francis M. Scarlett and Mary Ann Parland, administrators of John Parland, to Charles W. Cartwright and William H. Gardiner, trustees, &c., dated March 14, 1851, and recorded with Glynn county deeds, book H, page 460, as follows: "All that tract or parcel of land called Blythe Island, situate, lying, and being in the waters of Turtle river, and opposite to the city of Brunswick, in said county of Glynn, and State of Georgia," and which is the same Blythe Island conveyed, with other property, by said Charles W. Cartwright and William H. Gardiner, to Samuel R. Brooks and Amos Davis by deed dated April 9, 1851, and recorded with Glynn county deeds January 12, 1852, book L, pages 55, &c., together with all and singular the tenements, hereditaments, and appurtenances thereunto belonging, or in any wise appertaining, and the reversion and reversions, remainder and remainders, rents, issues, and profits thereof; and also all the estate, right, title, and interest, property, possession, claim, and demand whatsoever, as well in law as in equity, of the said party of the first part of, in, or to the above-described premises, and every part or parcel thereof, with the appurtenances, to have and to hold all of singular the above-mentioned and described premises, together with the appurtenances, unto the said party of the second part, his heirs and assigns forever.

And the said Samuel Brooks, for himself, his heirs, executors, and administrators, doth covenant, promise, and agree to and with the said party of the second part, his heirs and assigns, that he hath not made, done, committed, executed, or suffered any act or acts, thing or things whatsoever, whereby or by means whereof above-mentioned and described premises, or any part or parcel thereof, now are, or at any time hereafter shall or may be impeached, charged, or incumbered in any manner or way whatever.

In witness whereof, the said party of the first part hath hereunto set his hand and seal, the day and year first above written.

SAMUEL R. BROOKS. [L. s.]

Sealed and delivered in presence of—

F. W. CHURCHILL.

JOHN BISSELL.

STATE, CITY, AND COUNTY OF NEW YORK:

I, John Bissell, a commissioner for the State, and resident in the city of New York, appointed by the governor of the State of Georgia, under the laws, and commissioned under the great seal of that State, duly affirmed and qualified to take testimony, acknowledgments, &c., to be used or recorded in that State, do, by this instrument, given under my hand and official seal, certify that on the 24th of September, 1853, before me personally appeared Samuel R. Brooks, signer and sealer of the annexed instrument, and acknowledged the same to be his free act and deed for the uses and purposes therein mentioned.

JOHN BISSELL, [L. s.]
Commissioner for Georgia.

Recorded this 17th day of October, 1853.

ALEXANDER SCRANTON,
Clerk, S. C. G. C.

STATE OF GEORGIA, *Glynn County:*
Clerk's Office, Glynn County.

I, Jacob W. Moore, clerk of the superior court in the county and State aforesaid, do hereby certify that the above and foregoing is a true copy from record, as it appears in book L, folio 283.

In testimony whereof, I have hereunto set my hand officially, and affixed the seal of court, at Brunswick, this 10th day of September, A. D. 1857.

J. W. MOORE, *Clerk.*

THIS INDENTURE, made the 24th day of September, in the year 1853, between Amos Davis, of the city, county, and State of New York, of the first part, and Thomas A. Dexter, of the city of Boston, and Commonwealth of Massachusetts, of the second part, witnesseth:

That the said party of the first part, for and in consideration of the sum of one dollar, lawful money of the United States of America, to him in hand paid, by the said party of the second part, at or before the ensembling and delivery of these presents, the receipt whereof is hereby acknowledged, hath granted, bargained, sold, aliened, remised, released, conveyed, and confirmed; and by these presents doth grant, bargain, sell, alien, remise, release, convey, and confirm, unto the said party of the second part, and to his assigns forever, all of one undivided thirty-second part of Blythe Island, so-called, in Glynn county, in the State of Georgia, which island is described in a certain deed from Francis M. Scarlett, and Mary Ann Parland, administrators of John Parland, to Charles W. Cartwright, and William H. Gardiner, trustees, &c., dated March 14, 1851, and recorded with Glynn county deeds, book H, page 460, as follows, namely: "All that tract or parcel of land called Blythe Island, situate, lying, and being on the waters of Turtle river, and opposite to the city of Brunswick, in said county of Glynn, and State of Georgia," and which is the same Blythe Island conveyed with other property, by the said Charles W. Cartwright, and William H. Gardiner, to Samuel R. Brooks, and Amos Davis, by deed

dated April 9, 1851, and recorded with Glynn county deeds, dated April 9, 1851, and recorded with Glynn county deeds, January 12, 1852, in book L, page 55, &c., together with all, and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents and issues and profits. And also, all the estate, right, title, interest, property, possession, claim, and demand whatsoever, as well in law as in equity, of the said party of the first part of, in, or to the above-described premises, and every part or parcel thereof with the appurtenances, to have and to hold all and singular the above-mentioned and described premises, together with the appurtenances, unto the said party of the second part, his heirs, and assigns, forever.

And the said Amos Davis, for himself, his heirs, executors, and administrators, doth covenant, promise, and agree to and with the said party of the second part, his and assigns that he hath not made, done, committed, executed, or suffered any act or acts, thing or things, whatsoever, whereby, or by means whereof the above-mentioned and described premises, or any part or parcel thereof, now are, or at any time hereafter shall or may be impeached, charged, or incumbered, in any manner or way whatsoever.

In witness whereof the said party of the first part, hath hereunto set his hand and seal, the day and year above written.

AMOS DAVIS. [L. s.]

Sealed and delivered in presence of—

SAMUEL C. THOMPSON,
HENRY W. COWLES.

STATE OF NEW YORK, }
City and County of New York, } ss:

By this public instrument be it known, to all whom it may concern, that I, Henry W. Cowles, commissioner in and for the State of New York, duly commissioned by his excellency the governor of the State of Georgia by virtue of an act entitled "An act to authorize the appointment of commissioners, &c.," passed December 22, 1829, and therein and thereby authorized and empowered to take the proof and acknowledgment of any deed, mortgage, conveyance of any lands, tenements, or hereditaments, lying or being in the State of Georgia; also, of any contract, power of attorney, or other writing under seal, to be used or recorded in said State, with free power and authority to administer oaths, affirmations, &c., do hereby certify, that on the 19th day of October, 1853, before me, the aforesaid commissioner, personally came Amos Davis, to me personally known, the party grantor in the annexed deed, who has signed the annexed deed, and he did acknowledge that he signed, sealed, and delivered the same as his voluntary act of deed, for the uses and purposes therein mentioned.

In testimony whereof, I have hereunto set my hand and official seal, the day and year above written.

HENRY W. COWLES, [L. s.]
Commissioner for the State of Georgia.

Recorded this 12th day of November, A. D. 1853.

ALEXANDER SCRANTON,
Clerk S. C. G. C.

STATE OF GEORGIA, *Glynn County:*
Clerk's Office, Glynn County.

I, Jacob W. Moore, clerk of the superior court in the county and State aforesaid, do hereby certify that the above and foregoing is a true copy from record, as it appears in book L, folio 291.

In testimony whereof, I have hereunto set my hand officially, and affixed the seal of court, at Brunswick, this 10th day of September, A. D. 1857.

J. W. MOORE, *Clerk.*

THIS INDENTURE, made the 24th day of September, in the year 1853, between Amos Davis, of the city, county, and State of New York, of the first part, and Edmund Monroe, of the city of Boston, and Commonwealth of Massachusetts, of the second part, witnesseth:

That the said party of the first part, for and in consideration of the sum of one dollar, lawful money of the United States of America, to him in hand paid by the said party of the second part at or before the ensealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, remised, released, conveyed, and confirmed, and by these presents does grant, bargain, sell, alien, remise, release, convey, and confirm, unto the said party of the second part, and to his heirs and assigns forever, all of the undivided one eighth part of one undivided half part of Blythe Island, so called, in Glynn county, in the State of Georgia, which island is described in a certain deed from Francis M. Scarlett and Mary Ann Parland, administratrix of John Parland, to Charles W. Cartwright and William H. Gardiner, trustees, &c., dated March 14, 1851, and recorded with Glynn county deeds, book H, page 460, as follows, namely: "all that tract or parcel of land called Blythe Island, situate, lying, and being in the waters of Turtle river, and opposite to the city of Brunswick, in said county of Glynn, and State of Georgia," and is the same Blythe Island conveyed with other property by the said Charles W. Cartwright and William H. Gardiner to Samuel R. Brooks and Amos Davis by deed dated April 9, 1851, and recorded with Glynn county deeds dated April 9, 1851, and recorded with Glynn county deeds January 12, 1852, in book L, page 55, &c., together with all and singular the tenements, hereditaments, and appurtenances thereto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues, and profits thereof; and, also, all the estate, right, title, interest, property possession, claim, and demand, whatsoever, as well in law as in equity, of the said party of the first part, of, in, or to the above-described premises, and every part and parcel thereof, with the appurtenances; to have and to hold all and singular the above-mentioned and described, together with the appurtenances, unto the said party of the second part, his heirs and assigns forever. And the said Amos Davis,

for himself, his heirs, executors, and administrators, doth covenant, promise, and agree to and with the said party of the second part, his and assigns, that he hath not made, done, committed, executed, or suffered any act or acts, thing or things, whatsoever, whereby, or by means whereof, the above-mentioned and described premises, or any part or parcel thereof, now are, or at any time hereafter shall or may be impeached, charged, or incumbered, in any manner or way whatsoever.

In witness whereof, the said party of the first part hath hereunto set his hand and seal, the day and year first above written.

AMOS DAVIS. [L. s.]

Sealed and delivered in the presence of—

SAMUEL C. THOMPSON.

HENRY W. COWLES.

STATE OF NEW YORK, }
City and County of New York, } ss:

By this public indenture, be it known, to all whom it may concern, that I, Henry W. Cowles, commissioner in and for the State of New York, duly commissioned by his excellency the governor of the State of Georgia, by virtue of an act entitled "An act to authorize the appointment of commissioners," &c., passed December 22, 1829, and therein and thereby authorized and empowered to take the proof or acknowledgment of any deed, mortgage, or conveyance, of any lands, tenements, or hereditaments, lying or being in the State of Georgia; also, of any contract, power of attorney, or other writing under seal, to be used or recorded in said State, with free power and authority to administer oaths, affirmations, &c., do hereby certify, that on the 19th day of October, 1853, before me, the aforesaid commissioner, personally came Amos Davis, to me personally known, the grantor in the annexed deed, who has signed the annexed deed, and he has acknowledged that he signed, sealed, and delivered the same, as his voluntary act and deed, for the use and purposes therein mentioned.

In testimony whereof, I have hereunto set my hand and official seal, the day and year above written.

[SEAL.]

HENRY H. COWLES,
Commissioner for the State of Georgia.

Recorded this 12th day of November, 1853.

ALEXANDER SCRANTON,
Clerk S. C. G. C.

STATE OF GEORGIA, *Glynn County:*
Clerk's Office, Glynn County.

I, Jacob W. Moore, clerk of the superior court in the county and State aforesaid, do hereby certify that the above and foregoing is a true copy from record, as it appears in book L, folio 292.

In testimony whereof, I have hereunto set my hand officially, and affixed the seal of said court, at Brunswick, this 10th day of September, 1857.

J. W. MOORE, *Clerk.*

THIS INDENTURE, made this 24th day of September, in the year 1853, between Samuel R. Brooks, of the city, county, and State of New York, of the first part, and Thomas A. Dexter, of the city of Boston, State of Massachusetts, party of the second part, witnesseth:

That the said party of the first part, for and in consideration of the sum of one dollar, lawful money of the United States of America, to him in hand paid, by the said party of the second part, at or before the ensealing and delivery of these presents, the receipt whereof is hereby acknowledged, hath granted, bargained, sold, aliened, remised, released, conveyed, and confirmed, and by these presents doth grant, bargain, sell, alien, remise, release, convey, and confirm, unto the said party of the second part, and to his heirs and assigns forever, all the undivided one-eighth part of the undivided fifteen thirty-second parts of Blythe Island, in Glynn county, Georgia, and which island is described in a certain deed from Francis M. Scarlett and Mary Ann Parland, administrators of John Parland, to Charles W. Cartwright and William H. Gardiner, trustees, &c., dated March 14, 1851, and recorded with Glynn county deeds, book H, page 460, as follows: "all that tract or parcel of land, called Blythe Island, situate, lying, and being in the waters of Turtle river, and opposite to the city of Brunswick, in said county of Glynn, and State of Georgia," and which is the same Blythe Island conveyed with other property, by said Charles W. Cartwright and William H. Gardiner, to Samuel R. Brooks and Amos Davis, by deed, dated April 9, 1851, and recorded with Glynn county deeds, January 12, 1852, in book L, page 55, &c., together with all and singular the tenements, hereditaments, and appurtenances, thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues, and profits; and also, all the estate, right, right, title, interest, property, possession, claim, and demand, whatsoever, as well in law as in equity, of the said party of the first, and in or to the above-described premises, and every part and parcel thereof, with the appurtenances; to have and to hold all and singular the above-mentioned and described premises, together with the appurtenances, unto the said party of the second part, his heirs and assigns, forever. And the said Samuel R. Brooks, for himself, his heirs, executors, and administrators, doth covenant, promise, and agree to and with the party of the second part, his heirs and assigns, that he hath not made, done, committed, executed, or suffered act or acts, thing or things, whatsoever, whereby, or by means whereof, the above-mentioned and described premises, or any part or parcel thereof, now are, or at any time hereafter shall or may be impeached, charged, or incumbered, in any manner or way whatsoever.

In testimony whereof, the party of the first part, hath hereunto set his hand and seal, the day and year first above written.

SAMUEL R. BROOKS. [L. s.]

Sealed and delivered in the presence of—

F. H. CHURCHILL.

JOHN BISSELL.

STATE, CITY, AND COUNTY OF NEW YORK, ss:

I, John Bissell, a commissioner for the State, and resident in the city of New York, appointed by the governor of the State of Georgia, under the laws, and commissioned under the great seal of that State, duly affirmed and qualified to take testimony, acknowledgments, &c., &c., to be used or recorded in that State, do, by this instrument, given under my hand and official seal, certify that on the 24th day of September, 1853, before me personally appeared Samuel R. Brooks, signer and sealer of the annexed instrument, and acknowledged the same to be his free act and deed, for the uses and purposes therein mentioned.

JOHN BISSELL, [L. s.]

Commissioner for Georgia.

Recorded this 12th day of November, 1853.

ALEXANDER SCRANTON,

Clerk S. C. G. C.

STATE OF GEORGIA, *Glynn County:*

Clerk's Office, Glynn County.

I, Jacob W. Moore, clerk of the superior court in the county and State aforesaid, do hereby certify that the above and foregoing is a true copy from record, as it appears in book L, folio 295.

In testimony whereof, I have hereunto set my hand officially, and affixed the seal of court, at Brunswick, this 10th day of September, 1857.

J. W. MOORE, *Clerk.*

THIS INDENTURE, made the 24th day of September, in the year 1853, between Samuel R. Brooks, of the city, county, and State of New York, and Edward Monroe, of the city of Boston, State of Massachusetts, party of the second part, witnesseth:

That the said party of the first part, for and in consideration of the sum of one dollar, lawful money of the United States of America, to him in hand paid by the said party of the second part, at or before the ensealing and delivery of these presents, the receipt whereof is hereby acknowledged, hath granted, bargained, sold, aliened, remised, released, conveyed, and confirmed, and by these presents doth grant, bargain, sell, alien, remise, release, convey, and confirm unto the said party of the second part, and to his heirs and assigns forever, all the undivided one-eighth part of the undivided fifteen thirty-second parts of Blythe Island, in Glynn county, Georgia, and which island is described in a certain deed from Francis M. Scarlett and Mary Ann Parland, administrators of John Parland, to Charles W. Cartwright and William H. Gardiner, trustees, &c., dated March 14, 1851, recorded with Glynn county deeds, book H, page 460, as follows: "All that tract or parcel of land called Blythe Island, situate, lying, and being in the waters of Turtle river, and opposite to the city of Brunswick, in said county of Glynn, and State of Georgia," and which is the same Blythe Island conveyed, with other property, by said Charles W. Cartwright and William H. Gardiner, to Samuel R. Brooks, and

Amos Davis, by deed dated April 9, 1851, and recorded in the Glynn county deeds January 12, 1852, in book , pages 55, &c.; together with all and singular the tenements and hereditaments thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues, and profits thereof; and also all the estate, right, title, interest, property, possession, claim, and demand whatsoever, as well in law as in equity, of the said party of the first part of, in, and to the above-described premises, and every part and parcel thereof, with the appurtenances, to have and to hold all and singular the above-mentioned and described premises, together with the appurtenances, unto the said party of the second part, his heirs and assigns forever.

And the said Samuel R. Brooks, for himself, his heirs, executors, and administrators, doth covenant, promise, and agree to and with the said party of the second part, his heirs and assigns, that he hath not made, done, committed, executed, or suffered any act or acts, thing or things, whatsoever, whereby, or by means whereof, the above-mentioned and described premises, or any part or parcel thereof, now are or at any time hereafter shall or may be impeached, charged, or incumbered in any manner or way whatever.

In witness whereof, the said party of the first part hath hereunto set his hand and seal, the day and year first above written.

SAMUEL R. BROOKS. [L. s.]

Sealed and delivered in the presence of—

F. H. CHURCHILL.

JOHN BISSELL.

STATE, CITY, AND COUNTY OF NEW YORK, ss:

I, John Bissell, a commissioner for the State, and resident in the city of New York, appointed by the governor of the State of Georgia, under the law and commissioned under the great seal of that State, duly affirmed and qualified to take testimony, acknowledgments, &c., &c., to be used or recorded in that State, do, by this instrument, given under my hand and official seal, certify that on the 24th day of September, 1853, before me personally appeared Samuel R. Brooks, signer and sealer of the annexed instrument, and acknowledged the same to be his free act and deed, for the uses and purposes therein mentioned.

JOHN BISSELL, [L. s.]

Commissioner for Georgia.

Recorded this 12th day of November, 1853.

ALEXANDER SCRANTON,

Clerk, S. C. G. C.

STATE OF GEORGIA, *Glynn County:*

Clerk's Office, Glynn County.

I, Jacob W. Moore, clerk of the superior court in the county and State aforesaid, do hereby certify that the above and foregoing is a true copy from record, as it appears in book L, folio 294.

In testimony whereof, I have hereunto set my hand officially, and affixed the seal of court, at Brunswick, September 10, 1857.

J. W. MOORE, *Clerk.*

THIS INDENTURE, made the 24th day of September, in the year 1853, between Samuel R. Brooks, of the city, county, and State of New York, Esq., of the first part, and Thomas A. Dexter, of the city of Boston, and Commonwealth of Massachusetts, of the second part, witnesseth:

That the said party of the first part, for and in consideration of the sum of one dollar, lawful money of the United States of America, to him in hand paid by the said party of the second part, at or before the ensealing and delivery of these presents, the receipt whereof is hereby acknowledged, hath remised, released, and quit-claimed, and by these presents doth remise, release, and quit-claim, unto the said party of the second part, and to his heirs and assigns forever, all of one undivided thirty-second part of Blythe Island, so-called, in Glynn county, in the State of Georgia, which island is described in a certain deed from Francis M. Scarlett and Mary Ann Parland, administrators of John Parland to Charles W. Cartwright, and William H. Gardiner, trustees, &c., dated March 14, 1851, and recorded with Glynn county deeds, book H, page 460, as follows, namely: "All that tract or parcel of land called Blythe Island, situate, lying, and being in the waters of Turtle river, and opposite to the city of Brunswick, in said county of Glynn, and State of Georgia," and which is the same Blythe Island conveyed with other property by the said Charles W. Cartwright and William H. Gardiner to Samuel R. Brooks and Amos Davis by deed dated April 9, 1851, and recorded with Glynn county deeds January 12, 1852, in book L, page 55, &c., together with all and singular the tenements, hereditaments, and appurtenances thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues, and profits thereof; and, also, all the estate, right, title, interest, property, possession, claim, and demand, whatever, as well in law as in equity, of the said party of the first part of, in, or to the above-described premises, and every part and parcel thereof, with the appurtenances; to have and to hold all and singular the above-mentioned and described premises, together with the appurtenances, unto the said party of the second part, his heirs and assigns forever.

In witness whereof, the said party of the first part has hereunto set his hand and seal, the day and year first above written.

SAMUEL R. BROOKS. [L. s.]

Sealed and delivered in the presence of—the words "*of the city of,*" "*island,*" "*and recorded with Glynn county deeds,*" being first erased; also, the words "*dated April 9, 1851,*" being first erased—

H. J. CLARK.

JOHN BISSELL.

STATE, CITY, AND COUNTY OF NEW YORK, ss:

I, John Bissell, a commissioner for the State and resident in the city of New York, appointed by the governor of the State of Georgia, under the laws, and commissioned under the great seal of that State, duly affirmed and qualified to take testimony, acknowledgments, &c.,

to be used or recorded in that State, do, by this instrument, given under my hand and official seal, certify that on the 20th day of October, 1853, before me, personally appeared Samuel R. Brooks, signer and sealer of the annexed instrument, and acknowledged the same to be his free act and deed, for the uses and purposes therein mentioned.

JOHN BISSELL,
Commissioner for Georgia.

Recorded this 12th day of November, 1853.

ALEXANDER SCARLETT,
Clerk S. C. G. C.

STATE OF GEORGIA, *Glynn County:*
Clerk's Office, Glynn County.

I, Jacob W. Moore, clerk of the superior court in the county and State aforesaid, do hereby certify that the above and foregoing is a true copy from record, as it appears in book L, folio 296.

In testimony whereof, I have hereunto set my hand officially, and affixed the seal of court, at Brunswick, this 10th day of September, 1857.

J. W. MOORE, *Clerk.*

THIS INDENTURE, made the 29th day of September, in the year 1853, between Samuel R. Brooks, of the city, county, and State of New York, of the first part, and Charles Illins, of the same place, party of the second part, witnesseth:

That the said party of the first part, for and in consideration of the sum of one dollar, lawful money of the United States of America, to me in hand paid by said party of the second part at or before the en-sealing and delivery of these presents, the receipt whereof is hereby acknowledged, hath granted, bargained, sold, aliened, remised, released, conveyed, and confirmed, and by these presents doth bargain, sell, alien, remise, release, convey, and confirm, unto the said party of the second part, and to his heirs and assigns forever, all the undivided one-eighth part of the undivided fifteen thirty-second parts of Blythe Island, in Glynn county, Georgia, and which island is described in a certain deed from Francis M. Scarlett and Mary Ann Parland, administrators of John Parland, to Charles W. Cartwright and William H. Gardiner, trustees, &c., dated March 14, 1851, and recorded with Glynn county deeds, book H, page 460, as follows: "All that tract or parcel of land called Blythe Island, situate, lying, and being in the waters of Turtle river, and opposite to the city of Brunswick, in the county of Glynn, State of Georgia," and which is the same Blythe Island conveyed with other property by said Charles W. Cartwright and William H. Gardiner to Samuel R. Brooks and Amos Davis, by deed dated April 9, 1851, and recorded with Glynn county deeds January 12, 1852, in book L, page 55, &c., together with all and singular the tenements, hereditaments, and appurtenances thereunto belonging, or in anywise appertaining, and the reversion and re-

versions, remainder and remainders, rents, issues, and profits thereof; and, also, all the estate, right, title, interest, property, possession, claim, and demand, whatever, as well in law as in equity of the said party of the first part, of, in, or to the above-described premises, and every part and parcel thereof, with the appurtenances; to have and to hold all and singular the above-mentioned and described premises, together with the appurtenances, unto the said party of the second part, his heirs and assigns forever. And the said Samuel R. Brooks, for himself, his heirs, executors, and administrators, doth covenant, promise, and agree to and with the said party of the second part, his heirs, and assigns, that he hath not made, done, committed, executed, or suffered any act or acts, thing or things, whatsoever, whereby, or by means whereof, the above-mentioned and described premises, or any part or parcel thereof, now are, or at any time hereafter shall or may be impeached, charged, or incumbered in any manner or way whatsoever.

In witness whereof, the said party of the first part hath hereunto set his hand and seal, the day and year first written.

SAMUEL R. BROOKS. [L. s.]

Scaled and delivered in presence of—

JOHN BISSELL.

HENRY G. WHEELER.

STATE, CITY, AND COUNTY OF NEW YORK, ss:

I, John Bissell, a commissioner for the State, and resident in the city of New York, appointed by the governor of the State of Georgia, under the law, and commissioned under the great seal of that State, duly affirmed and qualified to take testimony, acknowledgments, &c., to be used or recorded in that State, do, by this instrument, given under my hand and official seal, certify that on the 30th day of September, 1853, before me, personally appeared Samuel R. Brooks, signer and sealer of the annexed instrument, and acknowledged the same to be his free act and deed, for the uses and purposes therein mentioned.

JOHN BISSELL, [L. s.]

Commissioner for Georgia.

Recorded this 15th day of December, 1853.

ALEXANDER SCRANTON,

Clerk S. C. G. C.

STATE OF GEORGIA, Glynn County:

Clerk's Office, Glynn County.

I, Jacob W. Moore, clerk of the superior court in the county and State aforesaid, do hereby certify that the above and foregoing is a true copy from record, as it appears in book L, folios 305 and 306.

In testimony whereof, I have hereunto set my hand officially, and affixed the seal of court, at Brunswick, this 10th day of September, A. D. 1857.

J. W. MOORE, *Clerk.*

THIS INDENTURE, made the 24th day of September, in the year 1853, between Samuel R. Brooks, of the city, county, and State of New York, of the first part, and Charles Illins, of the same place, party of the second part, witnesseth:

That the said party of the first part, for and in consideration of the sum of one dollar, lawful money of the United States of America, to him in paid, by the said party of the second part, at or before the ensembling and delivery of these presents, the receipt whereof is hereby acknowledged, hath granted, bargained, sold, aliened, remised, released, conveyed, and confirmed, and by these presents doth grant, bargain, sell, alien, remise, release, convey, and confirm, unto the said party of the second part, and to his heirs and assigns, forever, all the undivided one-eighth part of the undivided fifteen thirty-second parts of Blythe Island, in Glynn county, Georgia, and which island is described in a certain deed from Francis M. Scarlett and Mary Ann Parland, administrators of John Parland to Charles W. Cartwright and William H. Gardiner, trustees, &c., dated March 14, 1851, and recorded with Glynn county deeds, book H, page 460, as follows: "All that tract or parcel of land, called Blythe Island, situate, lying, and being, in the waters of Turtle river, and opposite to the city of Brunswick, in said county of Glynn, and State of Georgia," and which is the same Blythe Island, conveyed with other property, by said Charles W. Cartwright and William H. Gardiner, to Samuel R. Brooks and Amos Davis, by deed, dated April 9, 1851, and recorded with Glynn county deeds, January 12, 1852, in book L, page 55, &c.; together with all and singular the tenements, hereditaments, and appurtenances, thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues, and profits thereof; and also, all the estate, right, title, interest, property, possession, claim and demand, whatsoever, as well in law as in equity, of the said party of the first part, of, in, or to the above-described premises, and every part and parcel thereof, with the appurtenances, to have and to hold all and singular the above-mentioned and described premises, together with the appurtenances, unto the said party of the second part, his heirs and assigns forever. And the said Samuel R. Brooks, for himself, his heirs, executors, and administrators, doth covenant, promise, and agree, to and with the said party of the second part, his heirs and assigns, that he hath not made, done, committed, executed, or suffered, any act or acts, thing or things, whatsoever, whereby, or by reason whereof, the above-mentioned and described premises, or any part or parcel thereof, now are, or at any time hereafter shall or may be impeached, charged, or incumbered, in any manner or way whatsoever.

In witness whereof, the said party of the first part, hath hereunto set his hand and seal, the day and year first above written.

SAMUEL R. BROOKS. [L. s.]

Sealed and delivered in the presence of—

F. H. CHURCHILL,

JOHN BISSELL.

STATE, CITY AND COUNTY OF NEW YORK, ss:

I, John Bissell, a commissioner for the State, and resident in the city of New York, appointed by the governor of the State of Georgia, under the laws, and commissioned under the great seal of that State, duly affirmed and qualified, to take testimony, acknowledgments, &c., &c., to be used, or recorded in that State; do, by this instrument, given under my hand and official seal, certify that on the 24th day of September, 1853, before me, personally appeared Samuel R. Brooks, signer and sealer of the annexed instrument, and acknowledged the same to be his free act and deed, for the uses and purposes therein mentioned.

[SEAL.]

JOHN BISSELL,
Commissioner for Georgia.

Recorded this 15th day of December, 1853.

ALEXANDER SCRANTON,
Clerk S. C. G. C.

STATE OF GEORGIA, *Glynn County:*
Clerk's Office, Glynn County.

I, Jacob W. Moore, clerk of the superior court in the county and State aforesaid, do hereby certify that the above and foregoing is a true copy from record, as it appears in book L, folios 306 and 307.

In testimony whereof, I have hereunto set my hand officially, and affixed the seal of the court, at Brunswick, this 10th September, A. D. 1857.

J. W. MOORE, *Clerk.*

THIS INDENTURE, made the 27th day of September, in the year 1853, between Samuel R. Brooks, of the city, county, and State of New York, of the first part, and Charles Day and Thurston R. Bloom, both of the State of Georgia, parties of the second part, witnesseth:

That the said party of the first part, for and in consideration of the sum of one dollar, lawful money of the United States of America, to him in hand paid by the said parties of the second part, at or before the ensembling and delivery of these presents, the receipt whereof is hereby acknowledged, hath granted, bargained, sold, aliened, remised, released, conveyed, and confirmed, and by these presents doth grant, bargain, sell, alien, remise, release, convey, and confirm unto the said parties of the second part, and to their heirs and assigns forever, all the undivided one-eighth part of the undivided fifteen thirty-second parts of Blythe Island, in Glynn county, Georgia, and which island is described in a certain deed from Francis M. Scarlett and Mary Ann Parland, administrators of John Parland, to Charles W. Cartwright and William H. Gardiner, trustees, &c., dated March 14, 1851, and recorded with Glynn county deeds, book H, page 460, as follows: "All that tract or parcel of land called Blythe Island, situate, lying, and being in the waters of Turtle river, and opposite to the city of Brunswick, in said county of Glynn, and State of Georgia," and which is the same Blythe Island conveyed, with other property, by said Charles W. Cartwright and William H. Gardiner,

to Samuel R. Brooks and Amos Davis, by deed dated April 9, 1851, and recorded with Glynn county deeds January 12, 1852, in book L, pages 55, &c.; together with all and singular the tenements, hereditaments, and appurtenances thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues, and profits thereof; and also all the estate, right, title, interest, property, possession, claim, or demand whatsoever, as well in law as in equity, of the said party of the first part of, in, or to the above-described premises, and every part and parcel thereof, with the appurtenances, to have and to hold, all and singular, the above-mentioned and described premises, together with the appurtenances, unto the said parties of the second part, their heirs and assigns forever.

And the said Samuel R. Brooks, for himself, his heirs, executors, and administrators, doth covenant, promise, and agree to and with the said parties of the second part, their heirs and assigns, that he hath not made, done, committed, executed, or suffered any act or acts, thing or things, whatsoever, whereby, or by means whereof, the above-mentioned and described premises, or any part or parcel thereof, now are, or at any time hereafter shall or may be impeached, charged, or incumbered in any manner or way whatsoever.

In witness whereof, the said party of the first part hath hereunto set his hand and seal, the day and year first above written.

SAMUEL R. BROOKS, [L. s.]

Sealed and delivered in the presence of—

F. H. CHURCHILL.

JOHN BISSELL.

STATE, CITY, AND COUNTY OF NEW YORK, ss:

I, John Bissell, a commissioner for the State, and resident in the city of New York, appointed by the governor of the State of Georgia, under the laws, and commissioned under the great seal of that State, duly affirmed and qualified to take testimony, acknowledgments, &c., &c., to be used or recorded in that State, do, by this instrument, given under my hand and official seal, certify that on the 27th day of September, 1853, before me personally appeared Samuel R. Brooks, signer and sealer of the annexed instrument, and acknowledged the same to be his free act and deed, for the uses and purposes therein mentioned.

JOHN BISSELL, [L. s.]

Commissioner for Georgia.

Recorded this 11th day of January, 1854.

ALEXANDER SCRANTON,

Clerk S. C. G. C.

STATE OF GEORGIA, *Glynn County:*

Clerk's Office, Glynn County.

I, Jacob W. Moore, clerk of the superior court in the county and State aforesaid, do hereby certify that the above and foregoing is a true copy from record, as it appears in book L, folio 314.

In testimony whereof, I have hereunto set my hand officially, and affixed the seal of court, at Brunswick, this 10th September, A. D. 1857.

J. W. MOORE, *Clerk.*

STATE OF GEORGIA, *Glynn County:*

In person, appeared before the undersigned, John S. Martin, a justice of the superior court, in and for the said county, Jacob Moore, who being by me duly sworn, saith that he is about seventy years of age, and has resided during that whole time in said Glynn county; that he was well acquainted with the late John Parland, and knows Blythe Island, in said county, to have been purchased by said Parland; (one-half in the year 1815, from Sarah and Thomas Handly, and the remainder from the commissioners of the Franklin County Academy, in the year 1817;) that from the time of the said purchase down to the time of his decease, which took place in the year 1836 or 1837, said Parland occupied and cultivated said island as a Sea-island cotton plantation, during all which time, being a period of about 20 years, said island remained in the quiet and undisturbed possession of said Parland.

That in the year 1837, the said island was conveyed by Francis M. Scarlett and Mary Ann Parland, administrator and administratrix of said John Parland, to the trustees of the Brunswick Land Company, who had quiet and peaceable possession of said island as such trustees, until the year 1851, when it was purchased from them by Samuel R. Brooks, and Amos Davis, and that said Brooks and Davis, or those claiming under them, have had peaceable and undisturbed possession of said island ever since it was so purchased by Brooks and Davis.

That said island has been actually occupied and cultivated by said Parland, or by those claiming under him, and by said Brooks and Davis, or those claiming under them, for a period of forty years last past.

JACOB MOORE, Sr.

Sworn to before me, this 11th September, 1857.

JOHN S. MARTIN, *J. S. C. G. C.*

No. 48.

ATTORNEY GENERAL'S OFFICE,
November 21, 1857.

SIR: I have the honor to acknowledge the receipt of your communication of the 23d ultimo, submitting to my consideration, papers in relation to the title to about 1,100 acres of land on the south end of Blythe Island, Georgia, proposed to be purchased as a site for naval purposes.

Since the receipt of your letter, other papers have been added, and among them, a deed from Amos Davis and others, by William W.

Corcoran and his attorney to the United States for the said land, which has been duly recorded.

I have examined these papers, and hereby certify that the said deed vests in the United States valid title to the premises, herein described.

Very respectfully,

J. S. BLACK.

Hon. I. TOUCEY,
Secretary of the Navy.

No. 49.

NAVY DEPARTMENT, November 23, 1857.

SIR: I have the honor to transmit herewith a copy of an act of the legislature of the State of Georgia, ceding to the United States jurisdiction over "certain land on Blythe Island," and respectfully request to be advised what, in your opinion, is the effect of the exception embraced in these words, concluding the first section of the act, viz:

"And to cede jurisdiction and control over the same *except* in all civil and criminal matters in which the rights of the citizens or the laws of Georgia may be involved."

I am, very respectfully, your obedient servant,

ISAAC TOUCEY.

Hon. J. S. BLACK,
Attorney General.

No. 50.

AN ACT to give the consent of the State of Georgia to a purchase made by the United States of America of certain land on Blythe Island, for the purpose of establishing a navy-yard thereon, and to cede jurisdiction over the same.

Whereas, the United States of America having purchased eleven hundred acres of land on the southern end of Blythe Island, on Turtle river, in the county of Glynn and State of Georgia, for the purpose of establishing a navy-yard thereon, it is desired that the assent of the State of Georgia should be given to said purchase, and that jurisdiction over the same should be ceded to the said United States of America:

SECTION 1. *Be it therefore enacted by the Senate and House of Representatives of the State of Georgia in General Assembly met, and it is hereby enacted by authority of the same,* That the consent of the State of Georgia is hereby given to said purchase of the land above-described, and, also, to any purchase that may be hereafter made by said United States of America of any other part or parts of said Blythe Island for government purposes, and that the jurisdiction of the State of Georgia over, and all its rights in and to, and all improvements now placed, or that may be hereafter placed, on such portion of said

island as said United States of America have already purchased, or may hereafter purchase, as aforesaid, is hereby ceded to said United States of America, to have, hold, own, and occupy, and to exercise jurisdiction and control over the same, except in all civil and criminal matters in which the rights of the citizens or the laws of Georgia may be involved.

SEC. 2. *Be it enacted*, That all laws or parts of laws militating against this act be, and are hereby, repealed.

JOHN E. WARD,

President of the Senate.

JOHN W. H. UNDERWOOD,

Speaker of the House of Representatives.

Attest:

W. B. TURHUM,

Secretary of the Senate.

ALEXANDER M. SPEER,

Clerk of the House of Representatives.

Approved November 14, 1857.

JOSEPH E. BROWN,

Governor.

SECRETARY OF STATE'S OFFICE,

Milledgeville, Georgia, November 14, 1857.

I hereby certify that the foregoing is a correct copy of an act "to give the consent of the State of Georgia to a purchase made by the United States of America of certain land on Blythe Island, for the purpose of establishing a navy-yard thereon, and to cede jurisdiction over the same," as appears from the enrolled act on file in this office.

Given under my hand and seal of office, this 14th November, 1857.

E. P. WATKINS,

Secretary of State.

No. 51.

ATTORNEY GENERAL'S OFFICE,

November 23, 1857.

SIR: I have the honor to acknowledge the receipt of your communication of this date, transmitting a copy of an act of the legislature of the State of Georgia, giving its consent to the purchase of a part of Blythe Island, in that State, for naval purposes, and you ask my opinion as to the effect of the exception contained in the first section.

The third resolution of September 11, 1841, (5 United States Laws, 468,) prohibits the expenditure of public money on land thereafter to be purchased for public purposes, until the Attorney General shall have certified the title to be valid, "and also, the consent of the legislature of the State, in which the land or site may be situated, shall be given to the said purchase."

This does not require the cession of jurisdiction, either exclusive or otherwise. When the legislature consents to the purchase, the eighth section of the Constitution provides for exercising exclusive legislation, which is full jurisdiction "over all places purchased by the consent of the legislature of the State in which the same shall be," for the erection of dock-yards, &c.

In this act in question, the "consent" of the legislature to the purchase is complete, and having been given, the Constitution carries with it the authority and jurisdiction required by the resolutions of 1841. This bill authorizes the expenditure of money upon the purchase.

The Georgia act also cedes jurisdiction, but reserves certain privileges, which are understood to mean the right to serve process. This is, substantially, the common reservation made in nearly all the acts of consent or cession of jurisdiction.

The late Attorney General, fully examined cases when similar cessions were made, and came to the conclusion that they were sufficient under the resolutions in question. (See vol. 7 Opinions, p. 628.) I see no reason to question the correctness of his conclusions. Upon both grounds, I am of opinion that the Georgia act is sufficient to meet the requirements of the resolutions of Congress.

Very respectfully,

J. S. BLACK.

Hon. ISAAC TOUCEY,
Secretary of the Navy.

No. 52.

HOUSE OF REPRESENTATIVES,
January 28, 1858.

SIR: The Committee on Naval Affairs, having had referred to them a bill, introduced by myself in the House of Representatives, having for its object the appropriation of money to construct a "naval depot" authorized by the act of the last Congress upon "Blythe Island," and the same having been referred to me by that committee as one of its members, and being desirous of obtaining such information as will enable the committee to act understandingly, will you do me the favor to state when, and what time, the work contemplated by law will be commenced? What amount of money will be required beyond the present appropriation to complete said work?

And that you will furnish such estimates for said work as will lead to some probable conclusion of what will be necessary to prosecute the work without delay.

I am, sir, yours respectfully,

JAMES L. SEWARD.

Hon. ISAAC TOUCEY,
Secretary of the Navy.

No. 53.

NAVY DEPARTMENT, *February 8, 1858.*

SIR: I have the honor to acknowledge the receipt of your letter of the 28th ultimo, desiring certain information connected with the naval depot, authorized by an act of the last Congress, to be constructed upon Blythe Island, Georgia; and to state in reply, that the department has ordered W. P. S. Sanger, Esq., civil engineer, attached to the Bureau of Yards and Docks, to proceed to Brunswick, and make the necessary surveys, &c., for the purpose of preparing plans, specifications, and estimates, for the construction of the naval depot.

Very respectfully, &c.,

I. TOUCEY.

Hon. JAMES L. SEWARD,
Committee on Naval Affairs,
House of Representatives.

No. 54.

NAVY DEPARTMENT, *February 8, 1858.*

SIR: You will proceed to Brunswick, Georgia, and make the necessary surveys, levelings, and soundings, for the purpose of preparing the plans, specifications, and estimates, for the construction of a naval depot upon Blythe Island, as authorized by an act of the last Congress.

Such assistance as you may require in making the surveys, &c., you will procure at Brunswick.

Very respectfully, your obedient servant,

I. TOUCEY.

WM. P. S. SANGER, Esq., *Civil Engineer,*
Bureau of Yards and Docks.

No. 55.

HOUSE OF REPRESENTATIVES,
February 11, 1858.

SIR: I understand that the department has determined to send William P. Sanger, Esq., to Brunswick, Georgia, to make a survey of the navy-yard provided for under the act of the last Congress. You will pardon me if I suggest that his operations would be greatly facilitated and expedited if he could have some suitable person to accompany him to give him assistance. Common laborers could be procured at Brunswick, but beyond this it is doubtful whether such help as might be necessary could be obtained. If other appropriations are to be made

by Congress it is important that as little delay as possible should be had in receiving necessary estimates dependant upon Mr. Sanger's report.

Very respectfully,

JAMES L. SEWARD.

Hon. I. TOUCEY,
Secretary of the Navy.

No. 56.

BUREAU OF YARDS AND DOCKS,
March 23, 1858.

SIR: I have the honor to report that, in obedience to your order of the 8th ultimo, I proceeded to Brunswick, Georgia, and have made the necessary surveys, levelings, and soundings as directed, and herewith submit a plan of the same.

The soundings on the plan show the depths at high tide, and the water-lines show the depths at low tide, estimating the range at nine feet. The red figures between the eighteen-feet water-lines show the depth of water at low tide, and the red figures on the land show the elevations above high-water.

With great respect, your obedient servant,

W. P. S. SANGER,
Engineer.

Hon. ISAAC TOUCEY,
Secretary of the Navy.

No. 57.

IN THE SENATE OF THE UNITED STATES, May 6, 1858.

Resolved, That the Secretary of the Navy be requested to inform the Senate what measures have been taken by the department to execute the act of the 28th January, 1857, "authorizing the establishment of a naval depot on Blythe Island, at Brunswick, Georgia;" what steps, if any, the department proposes to adopt in the prosecution of said work; and at what time it is intended to commence and go on with the same; and the reasons why the commencement of the necessary works has not been made.

Attest:

ASBURY DICKINS, *Secretary.*
By W. HICKEY, *Chief Clerk.*

No. 58.

NAVY DEPARTMENT, *May 13, 1858.*

SIR: In reply to the resolution of the Senate of the 6th instant requesting the Secretary of the Navy to inform the Senate "what measures have been taken by the department to execute the act of the 28th January, 1857, 'authorizing the establishment of a naval depot on Blythe Island, at Brunswick, Georgia;' what steps, if any, the department proposes to adopt in the prosecution of said work, and at what time it is intended to commence and go on with the same, and the reasons why the commencement of the necessary works has not been made," I have the honor to state that, in the execution of the act mentioned, the department, under instructions from the President, on the 19th of February, 1857, directed a commission, composed of Captain McIntosh, Commander Hartstene, and Lieutenant Brooke, of the navy, and Civil Engineer Calvin Brown, to proceed to Blythe Island and make the necessary examination and report a suitable site for the depot authorized. The report of the commission, accompanied with charts and sketches of the island, was made March 13, 1857. A proposition was then made by the owners for the sale of the whole island, and in June an executory contract for the purchase by the government of about 1,100 acres was entered into. The legislature of the State of Georgia having, on the 14th of November, 1857, ceded jurisdiction to the United States over the lands, and the title to them declared by the Attorney General of the United States good and sufficient, the purchase was concluded, and the money paid November 24, 1857.

On the 7th of February last the department ordered Mr. Sanger, the civil engineer attached to the Bureau of Yards and Docks, to proceed to Blythe Island and make the necessary surveys and take the levels with a view of submitting a plan for the naval depot and estimates adequate to its completion. The levels have been taken and the surveys made, but business of the department requiring the presence of Mr. Sanger at Pensacola, the plans have not been matured.

In reply to the inquiry why the commencement of the necessary works has not been made, I would state that there is no money in the treasury which can be applied for that purpose without diverting it from other indispensable objects. They fall within the class of public works authorized by Congress, which, not having been commenced, it is not deemed expedient or proper to commence during the present condition of the treasury.

I am, sir, with great respect, your obedient servant,
ISAAC TOUCEY.

Hon. JOHN C. BRECKINRIDGE,
President of the Senate.

No. 59.

Statement of the several amounts, and for what objects, expended of the fund appropriated by Congress for the purchase of a site on Blythe Island for a naval depot, &c.

Expenses of the commission of officers appointed to select a site	\$85 37
Traveling expenses of the Hon. A. Iverson, who visited the island to make certain examinations at the request of the department.....	45 00
Traveling expenses of Mr. Sanger, civil engineer, ordered to Blythe Island to take soundings, levels, &c.....	161 60
Expenses incurred by Mr. Sanger in the performance of the above duty.....	317 88
Purchase of the site for depot.....	130,000 00
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	130,609 85
Unexpended.....	69,390 15
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Appropriation	200,000 00
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